




Government
Publications

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Government House, New Westminster, the residence of Governor Seymour until the capital was moved to Victoria in 1868.
Watercolour attributed to Lady Musgrave, 13 September 1870. Picture Division, Public Archives of Canada,
Ottawa (C-35986).



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Journals of the Colonial Legislatures of the
Colonies of Vancouver Island and
British Columbia
1851-1871

Edited by JAMES E. HENDRICKSON

VOLUME IV

JOURNALS OF THE EXECUTIVE COUNCIL, 1864-1871, AND OF THE
LEGISLATIVE COUNCIL, 1864-1866, OF BRITISH COLUMBIA

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Journals of the Colonial Legislatures of Vancouver Island
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6. Notice of Election.



Second Legislative Council of British Columbia, New Westminster, December 1864–April 1865. Left to right: Henry Holbrook, George A. Walkem, W. O. Hamley, Chartres Brew, H. M. Ball, A. N. Birch, C. W. Franks, Peter O'Reilly, Walter Moberly, J. A. R. Homer, H. P. P. Crease. Absent: A. C. Elliott, J. C. Haynes, C. F. Cornwall. PABC (Photo No. 12682).

LEGISLATIVE COUNCIL.

Monday, 10th April, 1865.

Hour of Meeting, 3 p. m.

1. Minutes to be read over and confirmed.
2. Communications from His Excellency (if any).
3. Petitions to be presented (if any).
4. Notices of Motion.

ORDERS OF THE DAY.

3rd Reading—Land Bill.

Committal—Suits and Actions Bill.

Consideration of Petition against Union with Vancouver Island.

CHARLES GOOD,
Clerk.

General Election

Notice is hereby given that, it being thought desirable that the person who may be selected as a fit and proper Member for Cariboo West in the Legislative Council of the Colony, should represent more particularly the agricultural interests of the District,

No Poll will be held at Soda Creek,
but one will be opened at

Mr. Bates'

Valley Ranch,

between the hours of 11 A.M. and 2 P.M. on the day appointed, (6th November), Mr. Bates' House being considered a more central situation, and easier of access to the majority of the inhabitants.

Notice is further given that no votes will be registered except of those who have resided for at least Two months in the District, — and every person so qualified, irrespective of nationality, shall be entitled to vote

By order 

Richfield,

30th October 1865.

Stephens & Co.

It is remembered that on this 1st day of March, in the year of our Lord one thousand eight hundred and Fifty nine at a Council held at Victoria in Vancouver Island, by James Douglas Governor of British Columbia the following members, having been provisionally appointed by an instrument in the name of Her Majesty Queen Victoria and sealed with the public seal of the Colony of British Columbia, and the oath of Allegiance having been duly administered to them took their seats in Council.

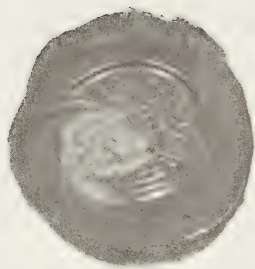
Richard Clement Moody,
Matthew Baillie Begbie.

The Governor announced that he had convened them on the present occasion merely for the purpose of organising the Council previous to the departure of the Lieut. Gov. Moody for British Columbia, and (that on his return from thence many pressing matters of great public importance would be submitted for their consideration and with the purpose of public business did not wish to be immediately brought forward.

The Council then adjourned.

Richard Clement Moody
Esquire, and to all others whom
it may concern,

Know Ye that I James
Douglas, Companion of the Most
Honourable Order of the Bath, Governor
of British Columbia, and Vice Admiral
and Commander in Chief within the
same, being well satisfied of the
loyalty, integrity, and ability of
you the aforesaid Richard Clement
Moody do hereby appoint and
nominate you to be a Member of
the Council of the said Colony of
British Columbia



Given under my hand and
the Public Seal of the said
Colony, at Victoria, Vancouver's
Island, this First day of
March One Thousand eight
Hundred and Fifty Nine, in
the Second Year of

James Douglas

JOURNALS
OF THE
EXECUTIVE COUNCIL
OF THE COLONY OF
BRITISH COLUMBIA

23 APRIL 1864 TO 7 JULY 1871

MEMBERS OF THE EXECUTIVE COUNCIL OF BRITISH COLUMBIA

1864-1871

GOVERNOR	First Sitting	Last Sitting
Frederick Seymour.....	23 Apr. 1864	23 Aug. 1865
Arthur Nonus Birch (Officer Administering the Government).....	3 Oct. 1865	29 Oct. 1866
Frederick Seymour.....	12 Nov. 1866	17 May 1869
Philip James Hankin (Officer Administering the Government).....	14 June 1869	13 Aug. 1869
Anthony Musgrave.....	1 Sept. 1869	7 July 1871

COLONIAL SECRETARY

Arthur Nonus Birch.....	23 Apr. 1864	9 Sept. 1865
Henry Maynard Ball (Acting).....	3 Oct. 1865	29 Oct. 1866
Arthur Nonus Birch.....	12 Nov. 1866	13 May 1867
William Alexander George Young (Acting).....	27 July 1867	20 Mar. 1869
Philip James Hankin.....	30 Apr. 1869	17 May 1869
Charles Good (Acting).....	14 June 1869	13 Aug. 1869
Philip James Hankin.....	1 Sept. 1869	7 July 1871

ATTORNEY GENERAL

Henry Pering Pellew Crease.....	23 Apr. 1864	29 Apr. 1870
George Phillippo.....	19 May 1870	10 May 1871
Edward Graham Alston (Acting).....	14 June 1871	7 July 1871

TREASURER

Chartres Brew (Acting).....	23 Apr. 1864	7 June 1864
Charles William Franks.....	10 Oct. 1864	12 Nov. 1866
William Alexander George Young (Acting).....	7 Feb. 1867	25 Mar. 1867

CHIEF COMMISSIONER OF LANDS AND WORKS AND SURVEYOR GENERAL

Joseph William Trutch.....	14 May 1864	16 May 1864
George William Holmes (Acting).....	10 Oct. 1864	15 Nov. 1864
Joseph William Trutch.....	8 June 1865	8 Feb. 1871

COLLECTOR OF CUSTOMS

Wymond Ogilvy Hamley.....	23 Apr. 1864	7 July 1871
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THE POLICE MAGISTRATE, NEW WESTMINSTER

Henry Maynard Ball.....	5 Mar. 1868	18 Apr. 1870
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UNOFFICIAL MEMBERS

John Sebastian Helmcken.....	10 Jan. 1870	7 July 1871
Robert William Weir Carrall.....	28 Jan. 1870	27 June 1871

MINUTES OF THE EXECUTIVE COUNCIL OF THE COLONY OF BRITISH COLUMBIA¹

Saturday, the 23rd day of April, 1864

The undermentioned Officers met, by Summons at Government House on the 23rd April 1864, when Her Majesty's Commission dated 11th January 1864, appointing Frederick Seymour Esquire, to be Governor of British Columbia, was read. Her Majesty's Instructions of the same date addressed to Governor Seymour were also read.

Under the Instructions contained in the third Section, the oath of an Executive Councillor was administered to,—

Arthur N. Birch, Colonial Secretary.

H. P. Pellew Crease, Attorney General.

Chartres Brew, Acting, Treasurer.

Wymond Hamley, Collector of Customs.

The Governor stated that he wished merely to take the opinions of the Council on one point.

The Secretary of State having appointed Mr. Joseph W. Trutch to be Surveyor General and Chief Commissioner of Lands and Works in this Colony, it appears that Mr. Trutch holds a beneficial interest in several works of importance which might interfere, or appear to interfere, in the eyes of the Public, with the impartiality which should belong to an officer charged with the important functions Mr. Trutch has been called upon to assume.

Read the following letter from Mr. Trutch dated 22nd April 1864, addressed to the Colonial Secretary.

Sir,

I have to acknowledge your communication of the 17th Instant, informing me that Her Majesty's Principal Secretary of State for the Colonies had selected me to fill the office of Surveyor General of the Colony of British Columbia, and that the Warrant of my appointment will be forwarded by an early opportunity.

In reply I beg to state that I feel highly honored in having such an appointment conferred on me, and that I most readily place myself at the disposition of the Government.

I feel it necessary at once to request you to bring to the notice of His Excellency the Governor that I hold Private interests in the Public Works of the Colony, which might perhaps be deemed to conflict with the Public duties of an officer in charge of the Lands and Works Department.

I will state more particularly that I own the entire Toll right I was empowered by Proclamation to levy for seven years from the 21st September 1863, on freight passing over the Alexandra Bridge. I own also a half interest in the Toll which Mr. Thomas Spence has been empowered by Act of the Legislative Council to levy, for

¹ The original minutes of the Executive Council of British Columbia, PABC, are of such varying quality (sometimes amounting to no more than a rough draft) that unless otherwise noted the minutes here reproduced are taken from the copy the Colonial Secretary was obliged to transmit to London in accordance with Colonial Office regulations, CO 62/2. Except for errors in copying, which have been silently corrected, discrepancies between the two accounts and enclosures attached to the CO copy are duly noted in subsequent footnotes. Because the minutes for the half year ending June 1870 are missing from the Colonial Office copy, the minutes for that period are from the minute book, PABC.

a period of seven years, from the completion of the Bridge now in course of construction at Cook's Ferry across the Thompson River.

Should His Excellency consider that my retaining these Charter rights would detract from my official usefulness I am prepared to negotiate for the transfer to the Government of my interests, for an equivalent in money—the amount to be determined by appraisal or by the decision of a referee in the usual manner of business.

I would add however that, having reflected maturely on this subject, I have come to the conclusion, that my continuing in possession of these Toll-rights is not incompatible with the faithful discharge of my official functions, and that I should not hesitate therefore to enter upon the duties of my office whilst still retaining my existing interests.

I desire however to submit this matter, most respectfully, for the decision of His Excellency the Governor.

I have &c. &c. &c.
(signed) Joseph W. Trutch

The Council unanimously advised the Governor,—that Mr. Trutch should not be allowed to hold the office of Surveyor General so long as he possessed the property in Bridges, the value of which would be considerably diminished by the improvement of the competing Douglas-Lillooet Road,—That such an appointment, allowing that Mr. Trutch showed perfect impartiality in the discharge of its duties, would always be unsatisfactory to the Public and would be viewed with suspicion.

The Governor concurred in the advice of the Council and expressed his intention of considering the best means of freeing Mr. Trutch from private interests which might appear incompatible with his Public duties.

The Council then Adjourned.

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Friday, the 29th day of April, 1864

Present: His Excellency Governor Seymour and The Honorables The Colonial Secretary, The Attorney General, The Acting Treasurer, The Collector of Customs.

The minutes of last meeting were read and confirmed.

The Governor brought again the case of Mr. Trutch before the Council.

His Excellency reminded the Honble. members that the Select Committee appointed by the Legislative Council to arrange matters with Mr. Trutch respecting the purchase of the Alexandra Bridge had found themselves unable to arrive at any conclusion and had referred the matter back to the Governor to be dealt with as he thought fit. Under these circumstances His Excellency had sent for Mr. Trutch and invited him privately to state the lowest sum he would take. Mr. Trutch said he felt an insurmountable objection to naming any price himself, but that if the Governor had no objection he would endeavour to obtain an Estimate of the Value from Mr. Walker the manager of the Bank of British Columbia.

The Governor laid before the Council Mr. Walker's letter dated 29th April 1864—which was read and is as follows:—

J. D. Walker Esqr. to Joseph W. Trutch Esqr.

Dear Sir,

With reference to our several conversations, and at your request, I have to lay before you my views relative to the Commercial value of your Bridge Charter and to the price which you ought to receive for the same.

I base my calculations upon the assumption that the Revenue of this year will be close upon £4000. that your Bridge is the key to the whole country along the banks of the Fraser, and that the whole traffic of the Country is being speedily diverted to the route via Yale and Lytton.

Without any over sanguine pleas I see that the Colony must steadily advance, that interests are surely and permanently springing up which must result in attracting population and in developing the wealth which beyond a doubt only waits the application of labour and capital.

The price which I deemed as the sum which I would be inclined to take under existing circumstances, namely £40,000. is much lower than what I consider the total Revenue of the Bridge would actually amount to at the end of your charter, because I consider that the Revenue of the last three or four years will be on a much larger ratio than it is likely to be during 1865 and 1866, because experience goes to prove, that irrespective of the increase of population, as roads become better and freight cheaper, each individual becomes a larger consumer, and luxuries come in where mere necessities only existed. With my present knowledge of the Colony, and with the conviction in my own mind that its size and progress is undoubted; a conviction which is founded more on the result of the past, than on my ideas of the future, I feel that any conclusion which may be arrived at on this subject, must be after all a mere conjecture, but I think the fact that the Actual Revenue of the Colony for 1862 was £90,000. for 1863 £110,000. and the Estimated Revenue for the present year is £120,000. warrants one in concluding that a corresponding increase must take place on the Revenue of a Bridge which is the key to the interior, and over which by far the largest portion of the goods must pass, the Duties on which go so largely to swell the Revenue.

Actuated by these considerations I consider that I place the probable Revenue of your Bridge at the lowest, when I state that for the year

1864 the tolls will be	£4,000
1865	5,000
1866	7,000
1867	9,000
1868	10,000
1869	11,000
1870	12,000

making a total of

£58,000

I would wish to state that I consider this a low figure if the Bridge was actually for sale, but under the circumstances I have no hesitation in saying that if placed in your position, I would accept £40,000. and I conscientiously believe that should the Government accept these terms they will be gainers in the end, but at the same time it is deserving of your consideration that the disposition of your Bridge removes any obstacle which may exist in the way of your accepting the honorable position offered to you.

Believe me, &c. &c.

(signed) Jas. D. Walker.

The members of Council unanimously advised the Governor that the terms proposed by Mr. Walker were totally unacceptable. His Excellency thought it hardly fair to Mr. Trutch to consider a first offer as a final decision, and suggested that a counter proposition be made to Mr. Trutch on behalf of the Government. Mr. Walker's Estimate was founded on the assumption of an enormous increase of wealth and population and consequently a proportionate

augmentation of the value of the Bridge. His Excellency thought Mr. Walker over sanguine—and proposed that an offer something like the following be made. That the net receipts of the Bridge in 1864, which seems a favorable year, be fixed as the amount of the annual payment to be made to Mr. Trutch during the remaining years of his Charter. That in addition, if Mr. Walker's assumption of the great increase of the Colony by 1870, be realized, and the Revenue be treble that of 1864—in which case the Public will have made a great profit of the Bridge,—a bonus of £5,000 or £10,000 be given to Mr. Trutch.

The Honorable the Collector of Customs thought the offer too high, but after some hesitation approved of its being made. The other Honorable Members were in favour of the Governor's suggestions and His Excellency was requested to confer again with Mr. Trutch.

Read, a Resolution from the Legislative Council.

That the Petition from the Inhabitants of Yale for the immediate expenditure of the sum recommended for the construction of a Road from Hope to Yale be forwarded to His Excellency.

After deliberation the Council recommended the disallowance of this appropriation, as it was considered that the River communication between the Towns of Hope & Yale was sufficient for the present, as there were other roads more urgently requiring the expenditure of Public money.

The Council adjourned.

Read and confirmed.

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Monday, the 2nd day of May, 1864

Present: His Excellency, Governor Seymour and The Honorables The Colonial Secretary, The Acting Treasurer, The Collector of Customs.

The minutes of the last meeting were read and Confirmed.

The Governor informed the Council that he wished to bring again before them the case of the appointment of Mr. Trutch; His Excellency stated that he had seen Mr. Trutch and had made him the offer as suggested at the previous meeting, that Mr. Trutch had requested that he might be allowed to consider the offer and had afterwards written a letter to the Colonial Secretary. The letter was read:—

Mr. J. W. Trutch to the Colonial Secretary

New Westminster, April 29, 1864

Sir,

In response to the offer this day made by His Excellency the Governor—that the Government would assure me, in consideration of my relinquishing my right in the Alexandra Bridge Toll, a yearly revenue during the remainder of the term of the Charter, of the actual amount that may be collected during the present year in Tolls at the said Bridge—I beg to submit the following proposition.

I will give over to the Government of British Columbia all my rights in the said Tolls for the following considerations.

A payment to me of a sum of £30,000 in Cash, or Government Debentures bearing interest at the rate of 6 per centum per annum and payable in ten years in London, and an engagement on the part of the Government to pay to me at the expiration of the term, of seven years, of the charter, viz. on the 1st October 1870, a further sum of money predicated on the following basis, that is to say,—should the Amount of freight passing up the country in the year commencing 1st October 1869 and ending 30th September 1870, be twice as great as in the present year commencing 1st October 1863, and ending 30th September 1864, then that a sum of £4,000, be paid to me on the said 1st October 1870. Should the Amount of freight passing up the country in the said year, commencing 1st October 1869, and ending 30th September 1870, be three times more or more than three times as great as in the present year, commencing 1st October 1863 and ending 30th September 1864, then that a bonus of £10,000 be paid to me on the said 1st October 1870.

I would further suggest that this Comparative Estimate of freight going up into the interior might be based either on the amounts of freight leaving New Westminster, or on the Amount leaving Douglas and Yale.

I have &c. &c.

(signed) Joseph W. Trutch

to which the following reply was given.

The Colonial Secretary to J. W. Trutch

Colonial Secretary's office, 30th April 1864.

Sir,

I have read and laid before the Governor your letter of the 29th Instant specifying the terms on which you would part with your interest in the Alexandra Bridge.

His Excellency desires me to say that he cannot accept the terms proposed by you, and would be glad to know if he is to consider the negotiations at an end.

I have &c. &c.

(signed) A. N. Birch

The Colonial Secretary informed the Council that immediately on the receipt on this official reply, Mr. Trutch had called upon him, and stated that he had decided as the lowest offer he could make, to accept the sum of £25,000, with a bonus at the expiration of the charter, based on the calculation made by Mr. Walker, in his letter of 29th April, and which in the event of that calculation proving correct, would bring the amount to be paid in the end by the government to the sum of £35,000 or £40,000.

The Colonial Secretary informed Mr. Trutch that he was very much averse to any large sum being paid down, more especially in the present state of the finances of the Colony, and that the Government had no wish to become the purchasers of the bridge in any way, if Mr. Trutch could get rid of his interest in the same by any private arrangement.

Mr. Trutch had ended the interview by offering to take the sum of £26,000 by quarterly instalments of £1,000. with the before named bonus on the same calculation.

After much deliberation the council agreed that the offer made by His Excellency to Mr. Trutch had been a liberal one and that Mr. Trutch be informed that the government adhere to their previous decision.

The Council adjourned.

Read and confirmed.

(Signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Monday, the 9th day of May, 1864

Present: His Excellency, The Governor and The Honorables The Colonial Secretary, The Attorney General, The Acting Treasurer, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Governor informed the Council that he had come to an arrangement with Mr. Trutch by which that Gentleman had been temporarily appointed Surveyor General of the Colony.

His Excellency stated the Arrangement:—

Mr. Trutch was to proceed immediately to the upper Country and lay out the Road from Quesnel Mouth to Cariboo, which, being above the junction of the roads at Clinton, could not be in any way affected by any Conflict of interests between the competing roads. That immediately on the completion of this work, Mr. Trutch was to be allowed leave of absence to visit England in connection with a scheme for the working of Traction Engines on the roads of the Colony. That as Mr. Trutch will only have been two months in office before his departure he will not be allowed to draw any Salary while absent, and the full salary will be drawn by Captain Holmes,² who will be appointed Acting Surveyor General.

That by the 1st of March 1865, Mr. Trutch must be in a position to show that he has, by sale or otherwise, divested himself of all interest of whatsoever kind, which would expose his Public Acts to suspicion or unfavorable comment; and that he has been distinctly informed, that if he has not freed himself by that time to the satisfaction of the Secretary of State for the Colonies, from all pecuniary interests in the several works of which he is now proprietor, or part proprietor, it will be impossible for him to hold the office of Surveyor General.

His Excellency stated that he intended laying the whole matter before the Secretary of State.³

The Governor brought under the consideration of the Council the Petition of Mr. Newton,⁴ setting forth that the extension of the Indian Reserves adjoining his Pre-emption at Catsey, had interfered with and overlapped his land, and praying that he may be allowed to continue in occupation or that some compensation be made.

The Council considered that the Indians should be left in possession of the land, and that Mr. Newton be requested to inform the Government, what expense he had been put to in cultivating the land in question and what compensation he would expect from Government.

² Lieutenant George William Holmes of the Royal Artillery served as private secretary to Governor Seymour.

³ See Seymour to Newcastle, 19 May 1864, CO 60/18, pp. 250–65, and Cardwell to Seymour, 1 August 1864, No. 28, CO 398/2, p. 248.

⁴ William Henry Newton was relieved as Chief Factor at Fort Langley in 1864, and eventually retired from Company service to his estate at Port Hammond adjacent to the Katsey Indian Reserve. See Newton to Legislative Council, n.d., Colonial Correspondence, F1245, PABC.

A similar petition from Mr. Transfield [George Tranfield]⁵ was also considered. Mr. Transfield had taken up land which he supposed had been deserted by the Indians, but they returned and squatted on the land. Mr. Tranfield therefore petitioned that he might be allowed to continue in possession.

The Council were of opinion that the Indians had never deserted the land, but only resided there during the fishing season, and therefore Mr. Transfield's Petition must be refused and he must be requested to select land elsewhere and report the same to the Government.

The Governor referred to a report in the Victoria newspapers of the murder of a white man at Bute Inlet; the Council had heard nothing beyond the newspaper report, and His Excellency expressed his intention to write immediately to the Governor of Vancouver Island for authentic information; and in case of its proving correct he would request Governor Kennedy to send up a Gun-boat without delay.

The Council adjourned.

Read and confirmed.

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Saturday, the 14th day of May, 1864

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Acting Treasurer, The Collector of Customs.

The minutes of the previous meeting were read and confirmed.

Mr. Trutch was introduced as Surveyor General, and took the Oaths and his seat as an Executive Councillor.

The Governor stated that he had called the Council together to consult with them as to the means to be adopted for capturing the Indians who had massacred the party of Europeans at Bute Inlet, intelligence of which had only reached him by private Letter from the Governor of Vancouver Island at ten o'clock the previous evening.

His Excellency informed the Council that immediately on receipt of Mr. Kennedy's letter he had despatched the only available Steamer, the "Enterprise", to Victoria, with Mr. Good the Chief Clerk in the Colonial Secretary's office, bearing a letter to Lord Gilford, the Senior Naval officer at Esquimalt, requesting His Lordship to come at once with H.M.S. "Tribune" and a gunboat to the mouth of the Fraser, and to come up himself in the gunboat to New Westminster to confer with the Governor. Lord Gilford might therefore be expected in the Evening or early on the morning of the fifteenth Instant.

The Council were of opinion that immediate steps should be taken to send a party in a ship of War to Bute Inlet; that another party should be despatched

⁵ George Tranfield to the Colonial Secretary, n.d., Colonial Correspondence, F1705, PABC.

from Alexandria, and that Mr. W. G. Cox the Magistrate at Cariboo West, who was well acquainted with the Indians should be instructed to take command of the Alexandria Expedition.

The Honble. Mr. Brew, the magistrate at New Westminster was selected to command the Expedition by way of Bute Inlet, and was requested to collect his party of Volunteers without delay.

The Council adjourned.

Read and confirmed.

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council.

Monday, the 16th day of May, 1864

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Surveyor General, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Governor stated that he had called the Council together to inform them of the instructions given to Mr. Brew, who had been sent in command of the Expedition to Bute Inlet, and also to confer with the Council as to whether it was necessary to send any further instructions to Mr. Cox, commanding the Expedition from Alexandria.

Lord Gilford having been unable to accede to the Governor's requisition for the "Tribune", Mr. Brew had left in the Gunboat "Forward", on Sunday with a party of twenty-eight Volunteers, together with Indian Interpreters, instructed to proceed to the scene of the massacre on the Homathco River, there to make search for any survivors of the Road party and to obtain such evidence from the Indians on the spot as might assist to identify the murderers.

From conversations with Mr. Waddington and from Maps of the Country furnished by that Gentleman, it was feared that the trail to the Upper Country by this route would be found impracticable, and that if this were the case, Mr. Brew had been advised to remain near the scene of the murder until further instructions reached him.

The letter appointing Mr. Cox to command the Expedition from Alexandria was read.

The Colonial Secretary to W. G. Cox Esqr. J.P.

Colonial Secretary's office
14th May 1864.

Sir,

I am instructed to forward to you the enclosed newspapers which will make you acquainted with the leading particulars of the late massacre of Europeans, by Indians of the Chilicoten Tribe near Bute Inlet.

The Governor on the receipt, last night, of this intelligence at once wrote to the Senior Naval officer on the Station for the Services of H.M. Ships "Tribune" and "Grappler", and he expects that these vessels will enter the Fraser this Evening.

His Excellency having considered the matter in Council purposes to despatch a force of forty or fifty marines from Bute Inlet into the Interior, to demand the

surrender of the criminals. To this force he will add about twenty five special constables, under the command of Mr. Brew. The expedition being merely to assert the supremacy of the Law, Mr. Brew will direct its movements and endeavour to the utmost to prevent a collision with the Indians. Of course the culprits, if found, will be seized by force, if force be required.

This strong body of men will follow up, if necessary, the Indians to their fishing grounds on the Lakes, but the Governor trusts that under the experienced management of Mr. Brew the well disposed Indians will be induced to capture and hand over the murderers.

The Governor in Council has considered that it would be very desirable to have some steps taken from Alexandria towards the same object sought to be attained by the force proceeding from Bute Inlet.

His Excellency has in Council determined to request your assistance. He feels he must leave you a very large discretion as to the number and race of the men you would employ and as to the course to be adopted, but he suggests for your consideration that you should not be sufficiently weak to invite attack, nor your force so numerous as to form a heavy burthen on the Revenues of the Colonial Treasury.

You will confer on the Colony important Service should you succeed in capturing the perpetrators of the barbarous deeds at Bute Inlet.

The Governor regrets he cannot furnish you with the number or description of the offenders, but he is advised that their own tribe would easily identify them should they think fit.

You are at liberty to offer such rewards as you may think fit for the apprehension of the murderers.

I am to impress upon you the wish of the Governor, to avoid as far as compatible with the object we have in view, all acts that may lead to collision with the Indians.

I have &c. &c.

(Sd.) Arthur N. Birch

It was at once decided that Mr. Cox should be immediately informed that there was little probability of Mr. Brew's party being able to proceed beyond the scene of the massacre, and that he must act as if his was the sole Expedition, and use his own discretion as to the amount of force he would take with him.

Mr. Ogilvy would be the bearer of this Letter, at the same time taking with him fifty stand of Arms and ammunition for the use of the Expedition.

The Council Adjourned.

Read and confirmed.

(sd.) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Saturday, the 4th day of June, 1864

Present: His Excellency, The Governor and The Honorables The Colonial Secretary, The Attorney General, The Acting Treasurer, The Collector of Customs.

The minutes of the last meeting were Read and confirmed.

A Letter from the Postmaster General forwarding the Tenders for the Postal Service was read.

The Postmaster General to the Colonial Secretary.

General Post Office, 1st June 1864

Sir,

I have the honor to transmit for His Excellency's consideration, Abstract of Tenders received for the conveyance of Mails through British Columbia for one year.

The lowest tender is that of Mr. W. H. Woodcock, but that gentleman is not considered sufficiently responsible. He is also a Citizen of the Southern States of America, and the persons he offers as his sureties are also Americans.

The next lowest Tender is that of Mr. Macdonald, but on careful enquiry, I find he has not the means of carrying out the contract were it awarded to him and he offers no sureties for its performance, besides which I feel confident the work cannot be satisfactorily performed for the sum named by him £3,200.

I do not consider the sum of £6,000, the amount of Messrs. Dietz and Nelson & Co.'s Tender as too large, and the conclusion is not arrived at without mature consideration, for the careful and strict performance of the duties as required by the Notice herewith enclosed, and as this Company have for the last two years been engaged in carrying out the present Mail Contract, and have I think shown every reasonable diligence and care in its performance, I have every confidence that they will with the means at their command be able to carry out this contract to the satisfaction of the Government and the Public. I would therefore respectfully recommend that it be awarded to them.⁶ I attach a communication received yesterday from Mr. F. J. Barnard, who is a member of the firm of Messrs. Dietz and Nelson & Co. and I can have no hesitation in certifying as to the correctness of the statements contained therein.

I have &c. &c.
(sd.) W. R. Spalding
P.M.G.

Mr. Woodcock having withdrawn his Tender, the only two remaining were Mr. Macdonalds, and Messrs. Dietz, Nelson & Co.'s.

Mr. Macdonald, whose Tender was the lowest, offered no sureties for its due performance, and was not considered sufficiently responsible.

The Council advised that the Postmaster General be instructed to offer Messrs. Dietz, Nelson & Co. the sum of £5,000 per annum.

The Petition from the New Westminster cricket Club for ten acres of cleared land to be set apart for their special use was discussed and it was decided that it be left to the Colonial Secretary to arrange the matter with the Club.

A letter from the Police Magistrate requesting additional Constables, was read.

There being no immediate necessity for their appointment, it was decided that the subject should remain over until preparing the Estimates for the ensuing year, but that the Magistrate should be authorized to hire special Constables whenever required.

The Council adjourned.

Read and Confirmed.

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

⁶ This sentence is included in Executive Council Minutes, PABC, but was deleted from the minutes transmitted to the Colonial Office.

Tuesday, the 7th day of June, 1864

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Acting Treasurer, The Collector of Customs.

The minutes of the last meeting were read, and confirmed.

The Governor stated to the Council that Admiral Kingcome had placed H.M.S. "Tribune", at the disposal of His Excellency for the conveyance of the party of Volunteers whom it had been decided to send to the Chilicoten Country by way of Bentinck Arm, but that the Admiral objected to marines being used on this Service, and therefore the New Westminster party must be organized on the understanding that they would not receive any assistance from the Ship of War after leaving Bella Coola.

Mr. Moss a special Constable residing on the Bella Coola River was examined at some length and gave information relative to the strength of the Bella Coola and Anaheim Tribes, who were stated to be friendly to the white men.

Mr. Brew and Mr. Elwyn were selected as first and second in command of the Expedition.

It was decided to procure twelve mules and twenty days provisions for fifty men; everything to be ready to leave for Esquimalt by the "Enterprise" on Saturday the 11th Instant, where the "Tribune" would be in readiness to start on the arrival of the Steamer.

The Council then Adjourned.

Read and Confirmed.

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Thursday, the 25th day of August, 1864

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Collector of Customs.

The minutes of the previous meeting having been read and confirmed.

The Governor stated that he had called the Council together to discuss the question of granting leave of Absence to Mr. J. W. Trutch, the Chief Commissioner of Lands and Works, and Surveyor General.

It was decided that leave of Absence should be granted to Mr. Trutch from the 1st of September to the 1st of April 1865.

The Council Adjourned.

Read and Confirmed.

(signed) Frederick Seymour

Monday, the 10th day of October, 1864

Present: His Excellency the Governor and The Honorables The Attorney General, The Collector of Customs.

The minutes of last meeting were read and confirmed.

Mr. Charles W. Franks, Treasurer, and Captain G. W. Holmes, Royal Artillery, acting Surveyor General, were then summoned before the Council, when the usual oaths were administered to them, after which they took their seats at the Council Board.

The Governor stated that the only subject he would bring before the Council was the decision to be taken in the matter of the five Chilicoten Indians condemned to death for participating in the murders of the Bute Inlet Roadmakers, and of Manning, Macdonald and others on the Bentinck Arm Trail.

The attention of the members was particularly drawn by the Governor to some newspaper reports which had reached him that the Chilicoten Indians in surrendering themselves to Mr. Cox, had received from him some kind of promise that their lives would be spared.

That on hearing this His Excellency had ordered the strictest investigation and report on a subject, which if true, might be construed to affect the good faith of the Government, in dealing with native tribes.

The Notes of the assize Court at Quesnel-mouth on the 28th and 29th September, by Mr. Justice Begbie in

Regina v. Telloot

Regina v. Klatsassin

Regina v. Piele

Regina v. Talipit

Regina v. Chessus

were read in extenso and frequently referred to by members.

The Governor, in order that there should be no possible misunderstanding as to the terms upon which the Indians surrendered read to the Council a number of private notes which had passed between Mr. Brew and Mr. Cox in the Chilicoten Country, showing the progress of the negotiations for the submission of the Indian Chiefs.

After a most prolonged and careful enquiry and deliberation the Council were unanimously of opinion that no promise of any sort was made to any of these Indians by Mr. Cox on their surrender and that there was no reason why the justly deserved sentence of death imposed on five of them by the Law should not forthwith be carried out.

And the meeting adjourned.

Read and confirmed.

18th October 1864

(Signed) Frederick Seymour

Tuesday, the 18th day of October, 1864

Present: His Excellency The Governor and The Honorables The Attorney General, The Treasurer, The Acting Surveyor General, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Governor brought before the Council the propriety of giving some reward to Mr. Brew and Mr. Cox the leaders of the Volunteer forces which had started from New Westminster and Alexandria respectively, to repress the insurrection of the Chilicoten Indians.

The Attorney General was of opinion that a gratuity of five hundred pounds should be granted to each of these gentlemen.

The Collector of Customs thought the amount too high in the present state of the Colonial finances.

The Acting Surveyor General, considered that a piece of plate of considerable intrinsic value with a suitable inscription upon it would be a more graceful way of rewarding Mr. Cox and Mr. Brew.

After considerable discussion the Governor was advised to adopt the suggestion of the Acting Surveyor General, of a piece of plate of the value of one hundred and fifty or two hundred pounds.

The Council Adjourned.

Read and confirmed.

2nd November, 1864

(signed) Frederick Seymour

Wednesday, the 2nd day of November, 1864

Present: His Excellency The Governor and The Honorables, The Colonial Secretary, The Treasurer, The Attorney General, The Acting Surveyor General, The Collector of Customs.

The minutes of the preceding meeting were read and confirmed.

The Governor stated that since the last meeting of the Council, Mr. Brew, as Magistrate of New Westminster, had sent in his usual requisition, in which appeared the sum of £136., as absent allowance, to himself while on the Bentinck Arm Expedition and although the amount was small as compared with the Arduous duties undertaken by Mr. Brew, still it might alter the decision arrived at, at the last meeting of the Council, at which time the requisition had not been made by Mr. Brew for absent allowance.

It was decided that Mr. Brew was entitled to the Amount claimed, and that it should in no way alter the decision arrived at regarding the presentation of a piece of Plate.

Applications from Mr. M. Disnay and Mr. Spratt for Charters under the Patents Act were laid before the Council and were allowed, and the Colonial Secretary was instructed to request the Attorney General to draw up the charters without delay.

The charge for each patent was fixed at £5 or \$25. The period of the Charter to be limited to seven years, with power to apply for a renewal.

The application from Messrs. Green and others that some decision be arrived at by the Government with regard to the Land claimed by them at Bentinck Arm and other places on the North West Coast was read.

It was decided that it would not be advisable to give title Deeds for these Lands, and although Messrs. Green & Co. were not entitled to compensation it behoves the Government to return any moneys actually paid into the Treasury by them for the purchase of Lands, on the understanding that should Mr. Green accept these terms he must give up all claim and title to any Lands on the North West Coast. The Colonial Secretary was directed to write to Mr. Green to this effect.

The Council then Adjourned.

Read and Confirmed.

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council.

Tuesday, the 15th day of November, 1864

Present: His Excellency, The Governor and The Honorables The Colonial Secretary, The Treasurer, The Attorney General, The Acting Surveyor General, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The only subject brought before the council by His Excellency was the decision to be arrived at as regards the carrying out of the sentence passed on the Bella Bella Indian Chief, Chac-a-tum-kah, alias "Jim," who had been condemned to death, at the Assizes held on the 8th November, for the murder of a white man, named John Holmes in the Autumn of 1862.

The Report of the Judge and the notes of evidence having been read, the members of the Council, with the exception of the Treasurer, were of opinion that the sentence of death should be carried out. The Treasurer declining to give an opinion.

The Judge (Mr. Justice Begbie) having been called, stated in answer to questions from the Governor, that he was fully convinced of the Justice of the sentence.

The Judge having left the Council Chamber, the Governor again requested the opinion of the Treasurer, who stated that although he saw no reason to doubt in any way the propriety of the decision arrived at by the other members of the Council he was still unwilling to give any opinion on the subject.

The Council then adjourned.

Read and confirmed.

25th November 1864

(signed) Arthur N. Birch
Colonial Secretary and Clerk
to the Council.

Friday, the 25th day of November, 1864

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Treasurer, The Attorney General, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Governor brought before the Council an application from Mr. G. B. Wright for the Government to release him from the Charter held by him as constructor of the Lillooet and Alexandria Wagon Road.

Read the following Letter from Mr. Wright.

New Westminster, 17th November 1864

Sir,

I desire to offer to the Government, my Charter for the Lillooet Alexandria Wagon Road, and in so doing to state to your Excellency some of the details of its construction, and my reasons for resigning my interest in it.

In the winter of 1861, I was first consulted with by the Surveyor General regarding the feasibility of constructing a wagon road to connect directly with the mines.

As no government Survey of the interior had yet been made it was impossible to estimate the probable cost of the work, or even the length of the road to be constructed. It was also represented that the Government were not in possession of sufficient funds to proceed immediately with the undertaking and I was asked to devise some means by which the road could be made and repayment made to the Contractor in the form of Tolls, for a term of years.

At the time that this proposal was made to me the Affairs of the Colony looked very dark and unpromising, the partial failure of the mines which had hitherto been discovered and the immensely high rates of transportation, having combined to drive away the larger portion of our mining population, it was an evident fact to all that some improved means of transportation must be found or our population would be permanently diminished.

I at first attempted to associate other gentlemen with me in the work, but failed, and finally made to the Commissioner of Lands and Works proposals which resulted in the contract for the construction of the Lillooet Alexandria Road.

By the small amount of advances asked by me from the Government—viz. £60. per mile for a portion and £120. for the remainder, Your Excellency will perceive that I was actuated by a desire to relieve them from pecuniary difficulties in completing the work as much as lay in my power.

When however these comparatively small advances became due to me in the course of the work, the Government was for a time unable to supply the money according to the terms of their contract, and the larger portion of it was borrowed by myself of private parties at high rates of interest the payment being guaranteed by the Government, but the interest payable by myself.

Still in the face of all these difficulties, I succeeded in completing my undertaking and constructing a road which is the main thoroughfare of the Country, and over the greater part of which the entire traffic of the Upper Country passes.

By the accompanying statement of the amounts expended by me and not refunded by Government, Your Excellency will perceive that I have now the sum of \$120,046 yet unpaid to me from my outlay—of the Amount \$8454.00 has been paid out for interest on loans, for sums due on the original Contract, and which sums should have been furnished direct by the Government. A further sum of \$3515. has been paid in interest upon loans due upon the portion of the road *above* the point of Junction with the Lytton Alexandria Road which amount I claim should *rightly* have been borne entirely by the Government.

Naturally in a work of this kind my own interests to some extent clash with those of the Government. For instance, my charter imposes a toll of a half penny per pound, on all grain, or farm produce of whatsoever nature that may be carried along *any portion* of the road. This provision would entail a serious hardship on farmers if literally enforced and would in reality be an injustice by compelling double, and in some cases treble taxes on the same article.

Again one section of my Agreement with the Chief Commissioner of Lands and Works, gives me the right to demand a portion of the cost of my road from any parties who may construct a road connecting with it at any point. An attempt even to carry out this provision would be productive of great detriment.

For these various causes I think that the true policy of the Government should be to possess entire and absolute control over the toll roads of the whole Colony.

During the two years which have elapsed since the granting of my Charter the sum of £11,261. has been collected at Lillooet for tolls. Of this sum three fourths less the expenses of collection have been retained by the Government.

In all my transactions with the Government I have been treated in a spirit of liberality. I think this resulted partly from the knowledge on their part, that I entered into the work of which I have spoken, somewhat blindly and in ignorance of its extent, and also because they were convinced that the completion of the road was almost an imperative necessity to the prosperity of the Country.

I am confident that this spirit of liberality will still be exhibited towards me, and thus am induced to offer to the Government the surrender of my charter upon their own terms. Since the discovery of gold in 1858, I have been to some extent connected with almost every enterprise of moment, for improvement of communication in the interior and my interests have become indissolubly connected with British Columbia. I am vain enough to hope that this may have some effect upon Your Excellency's decision regarding this matter.

I am aware that in the present depressed state in money matters at home it is not advisable for our young Colony to make any immediate outlay, whatever sum, of the amount which I have expended therefore, the Government may see fit to refund to me, I am willing to take at any future time that may be suggested by themselves.

I have the honor to remain
&c. &c. &c.

(Signed) G. B. Wright

The Council were of opinion that it would be of advantage to the Colony for the Government to have the entire control of the Roads throughout the Country, but that there was nothing to justify the government in granting Mr. Wright any sum of money as compensation. It was agreed that Mr. Wright should be informed, that the government were willing to release him from the Charter of 1862, paying all outstanding claims made by him for repairs, interest, and a quarter share of Toll collections.

The Collector of Customs suggested that having in view the benefit accruing to the Colony from the perseverance of Mr. G. B. Wright in completing the construction of the road, and with the knowledge the government possessed of the loss that had been entailed on Mr. Wright in this undertaking, it would only be fair and proper on the part of the Government in refusing compensation, to undertake that any money which might have accrued under the Charter after all payments have been made, should be accounted for distinctly from the General Revenue, and Mr. Wright allowed to reap the benefit by a payment to him at the time when his Charter would have naturally expired, namely in September 1867.

The Council were unanimous on this point and His Excellency instructed the Colonial Secretary to confer with Mr. Wright.

A Letter was read from Admiral Denman forwarding a claim made by Mr. Waddington for packing supplies to the Naval Detachment stationed on the Homathco River in August last, also a claim for the loss of a scow and deterioration of other property.

It was decided that the claim for packing be forthwith paid, But that with the evidence of the naval officers before the Council the other claims could not be entertained.

Mr. Cox's accounts as Commander of the Alexandria Expedition having been inspected by Mr. Brew, the Governor brought before the Council the notes made by Mr. Brew on several of the items, but as the discrepancies were of so trifling a nature, it was decided that the accounts should be passed at once without any further reference to Mr. Cox.

The Council adjourned.

Read and confirmed.

17th December 1864

(signed) Arthur N. Birch
Colonial Secy. and Clerk
to the Council.

Saturday, the 17th day of December, 1864

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

An application from Mr. G. Mathew, Registrar of the Supreme Court, for leave of absence on medical Certificate was entertained and the full leave allowed by the Colonial Regulations was granted to him.

A letter was read from Messrs. Dietz & Moody applying for a grant of six hundred and fifty acres of land at Burrards Inlet to enable them to raise and expend money in prospecting for Coal, and in the event of their expending five hundred pounds within six months in the successful working of any shaft of coal, that the government would allow them to purchase the land at the upset price of four shillings and two pence an acre.

A discussion arose as to the question of the land having been already pre-empted, and it was decided to refer the question to Mr. Moberly, who had surveyed certain claims in that vicinity in 1861, and that if the present application did not interfere with any previous rights every facility should be given to promote the success of so important an undertaking.

A Petition from Mr. Waddington for compensation in consequence of the failure of his Bute Inlet Road project was read but not entertained.

The Council Adjourned.

Read and confirmed.

31st December 1864

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Saturday, the 31st day of December, 1864

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

A letter was read from Mr. Haynes, forwarding an application from Dr. Tolmie, of the Hudson's Bay Company, to be allowed to purchase three thousand and forty three acres of land at Karemeos in the Similkeomeen Valley. The Council were of opinion that it would be impolitic to allow so large a portion of the Agricultural land of that valley to be held by one person if it could be legally prevented and the matter was therefore referred to the Attorney General for his opinion.

An Application from Mr. Landvoigt for a Lease of certain portions of Cherry Creek, in the Shuswap District, for mining purposes was entertained. It was decided that the Amount of land applied for namely, one square mile, was too great to be held under one Lease, but that the Government, wishing in every way to promote the formation of Companies for the working of minerals would reserve solely to the Crown the square mile of land specified in Mr. Landvoigt's letter and that he and the parties interested with him in the undertaking would be allowed to enter upon the said reserve and prospect for the Silver Lode, and that they shall be allowed this privilege for two years, after the expiration of which time they must be in a position to select a portion of the reserve not exceeding one quarter of a square mile for which Lease will then be granted to them.

His Excellency brought under the notice of the Council the Report of the Committee appointed to enquire into the Conduct of Pilot Titcomb on the occasion of the stranding of the Barque "Kinnaird"; It was agreed that no negligence could be imputed to the Pilot, but that he had committed an error of judgement in his calculation as to the strength of the current which he himself had already admitted, and that there was nothing to justify his dismissal.

Read a Petition from certain inhabitants of Lytton to be allowed to construct a bridge over the Thompson River in the neighbourhood of Lytton and levy Tolls on the same.

The Council considered that the erection of a bridge would be an Advantage to the Public and it was decided that the Petition should be referred for the favorable consideration of the Legislative Council.

The Council then Adjourned.

Read and Confirmed.

10th January 1865

(signed) Arthur N. Birch
Colonial Secretary and
Clerk to the Council

Tuesday, the 10th day of January, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the preceding meeting (31st December 1864) were read and confirmed.

The Governor brought before the Council an Application from the Archdeacon of British Columbia requesting to be allowed to read prayers on the occasion of the opening of the Legislative Council.

It did not appear that there was any intention on the part of the Archdeacon to continue daily prayers throughout the Session, and it was unanimously decided that the application was without precedent and should be declined.

The subject of the imposition of an Export duty on Gold was discussed. The Council were unanimous in advising the introduction of such a measure. It was proposed that the rate of duty should be fixed at 2s/ on raw and 1s/6 on Assayed gold per ounce.

The Council then adjourned.

Read and Confirmed.

Saturday, 28th January 1865

(signed) A. N. Birch
Colonial Secretary and
Clerk to the Council

Saturday, the 28th day of January, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Governor brought before the Council a proposal made by Captain Nicol, Director of the Vancouver Island Coal Company, offering to place a steamer on the direct line between San Francisco and New Westminster, provided that the Government of British Columbia would be induced to grant a subsidy of twelve hundred dollars a month for the conveyance of the mails between the two ports.

The Council were of opinion that great advantage was likely to accrue from such a measure and it was decided to offer Captain Nicol one thousand dollars a month for this service, on the understanding that a steamer would always be in readiness at San Francisco to start for New Westminster immediately after the Arrival of the mail which leaves England on the 2nd of each month.

A Letter from Mr. Goldsmidt, urging upon the government the necessity of offering a reward for the discovery of Cod Banks on the Coast of British Columbia,

was read but not entertained, as, in the opinion of the Collector of Customs, the existence of Cod Banks along the Coast had been already sufficiently ascertained without the further inducement of a government reward.

Read a further letter from Mr. Landvoigt, stating that the grant of a quarter of a mile of Cherry Creek was not sufficient to ensure his obtaining the requisite amount of capital from England to work the Silver Lode in a satisfactory manner, he therefore petitioned that when he should be in a position to claim the Lease the extent of the ground to be held under said lease should be increased from one quarter to one half a square mile.

The Council advised that Mr. Landvoigt's petition be granted.

The Governor requested the opinion of the Council as to the propriety of appointing a second judge. A letter was read from Mr. Walkem setting forth the inconvenience of the present system which left the Capital of the Colony without a Judge for five months in the year and suggesting that the Magistrate at New Westminster should hold a temporary Commission during the Absence of the Judge on Circuit.

It was the opinion of the Council that there were great objections to the arrangement suggested by Mr. Walkem, that, although a second judge was much required and would be a great convenience to the Public generally, the necessity for the appointment was not urgent, and that it would be advisable to wait for a short time until the progress of the Colony in the new district of Kootenay had been ascertained.

The Council then adjourned.

Read and confirmed.

Monday, 13th February 1865

(signed) A. N. Birch
Clerk to the Council &
Colonial Secretary

Monday, the 13th day of February, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Collector of Customs.

The Honorable the Treasurer was absent.

The minutes of the preceding meeting were read and confirmed.

The Governor requested the opinion of the Council as to the best mode of dealing with the several applications which had been received for Leases of Water frontages in New Westminster.

It was determined that it would be advisable to let the vacant spaces without delay by Public Auction.

An Application from Mr. Cooper, Chief Clerk in the Treasury Department, for an extension of his leave of Absence was read. Mr. Cooper having left the

Colony for England before his letter was received, the Council considered it unnecessary to entertain the application, as Mr. Cooper could, on his arrival in England, apply to the Secretary of State for the extension.

The Governor brought before the Council a memorandum from Mr. Claudet, on the cost of establishing government Assay offices at Cariboo and Kootenay.

It was the opinion of the Council that the establishment of an Assay office at Cariboo was not of immediate importance in consequence of the easy communication with New Westminster, it was however, very desirable, in connection with the Gold Export duty that one should be established in the Kootenay district without delay, and the Colonial Secretary was instructed to confer with Mr. Claudet on the subject.

Read a petition from Mr. H. Eberstein praying for government assistance in surveying for coal.

The Council advised that no assistance be granted, considering the reward offered for the discovery of Coal to be a sufficient inducement.

The following Resolution of the Legislative Council was taken into consideration.

Moved by The Honble. Mr. Brew, Seconded by The Honble. Mr. Holbrook and Resolved

That the Government be respectfully requested to cause the pre-empted lands throughout the Colony to be surveyed, and Titles issued, whenever the pre-emptors of such Lands shall apply to have their lands surveyed.

After deliberation the Governor was advised to carry out the Resolution, and the Colonial Secretary was instructed to issue a circular to the magistrates stating that arrangements would be made during the ensuing season for carrying out the wishes of the Legislative Council.

The Council then adjourned.

Read and confirmed.

Thursday, 13th April 1865

(signed) A. N. Birch
Clerk to the Council &
Colonial Secretary

Thursday, the 13th day of April, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the preceding meeting were read and confirmed.

The Governor requested the opinion of the Council as to the best mode of carrying on the Postal Service throughout the colony, which had hitherto worked so unsatisfactorily.

Read, the Report of the Select Committee of the Legislative Council, appointed to enquire into the matter.

Read also, a memorandum drawn up by Mr. Moberly, member of the Legislative Council for Cariboo West, showing the expense likely to be incurred should the government undertake to carry the mails. Forty three thousand dollars was the amount of Mr. Moberly's Estimate.

The Council requested to be allowed time to consider so important a matter and it was therefore deferred until the next meeting of the Council.

Read a letter from Mr. D. M. Lang, Manager of the Bank of British Columbia in Victoria, dated 6th April 1865.

After deliberation the Council advised, that with the direct and easy means of communication between Cariboo and the Capital, there was nothing to justify an alteration in the recent Legislation as regards the Duty to be charged upon Gold assayed otherwise than at the Government Assay Office.

The Council were further of opinion that great advantage would be derived from the establishment of an Assay Office at Kootenay. That the Government should give every advantage and facility to the Bank, should they (the Bank) decide to open an office in that district instead of at Cariboo.

The Council also suggested that in the event of the Bank being unwilling to open an office at Cariboo, an offer should be made to Mr. Lang to purchase the Plant from the Bank and establish a government office at Kootenay, an Arrangement which the Council had already advised to be carried out, but which had been delayed in consequence of the impossibility of obtaining competent persons as Assayers.

Read, a letter from Mr. Justice Begbie, Judge of the Supreme Court, respecting the Salary to be fixed for the Acting Registrar, and as to the Circuit Expenses for the Year 1865.

The Council were of opinion that Mr. Hare's salary, as Acting Registrar should be increased, as two hundred and forty pounds was not sufficient in the Upper Country.

The one thousand pounds voted by the Legislative Council for travelling expenses of the Judge was considered ample, no pack train being required in the present improved state of communications, and that sum would far more than cover the expenses connected with a wagon and four horses.

The Council then adjourned.

Read and Confirmed.

Thursday, 20th April 1865

(signed) A. N. Birch
Clerk to the Council &
Colonial Secretary

Thursday, the 20th day of April, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary,
The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the previous meeting were read and confirmed.

Read, for the information of the members of Council a letter from the Agents General, stating that in consequence of the depressed state of the money market they were unable to dispose of any portion of the British Columbian Loan, authorized by Local Ordinance 1864.

The Governor again brought before the Council the subject of the Postal Service.

Read, a memorandum drawn up by the Collector of Customs, in which he advised, that the Government should undertake the conveyance of the mails throughout the Colony, making the several magistrates district Superintendents, and responsible for the proper working of the Service in their several districts.

The Council were unanimous in the opinion that Messrs. Dietz and Nelson's tender—vizt. nine thousand five hundred pounds—for the conveyance of the mails for the year 1865, was excessive, and the majority of the Council were in favour of the adoption of the scheme suggested in the memorandum of the Collector of Customs. The Colonial Secretary was instructed to communicate with the several magistrates on the subject.

Read, a memorandum from Mr. Justice Begbie, proposing the dates and places for holding Courts during the circuit of 1865.

The only alteration suggested by the Council was that Yale should be visited first instead of Douglas as proposed by the Judge, as there were not a sufficient number of inhabitants in the latter place at present, to form a Jury.

Read a letter from the Harbour Master forwarding the Tenders for building a Light Ship. The Harbour master advised that Mr. Trahey's tender should be accepted; but as Messrs. Bolton & Co. tendered far lower, the Colonial Secretary was instructed to request the Harbour Master to inform the Government the reason why Messrs. Bolton's tender should not be accepted.

Read a letter from Mr. Angus Macdonald stating that he was the first white man who discovered gold in British Columbia and requesting to know whether he is not entitled, in consequence, to some honorable reward. The Colonial Secretary was instructed to acknowledge the receipt of Mr. Macdonald's letter and to inform him that it would be forwarded for the consideration of the Secretary of State for the Colonies.

The Council then adjourned.

Read and confirmed.

Monday, 24th April 1865

(signed) A. N. Birch
Clerk to the Council &
Colonial Secretary

Monday, the 24th day of April, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the previous meeting were read and confirmed.

The reply of the Harbour Master to the question respecting Messrs. Bolton and Cook's Tender for building the Light Ship having been referred to the members

of the Council they were of opinion that there was no sufficient reason why Messrs. Bolton & Cook should not receive the Contract and the Colonial Secretary was instructed to accept Messrs. Bolton & Cook's Tender.

Read, a letter from Mr. Young the Agent for the Bank of British Columbia in New Westminster applying for the remission of the Customs on the 33½ per cent. which had been added to the London Invoice on certain goods required by the Bank, The addition being the same as that charged under the old customs Act.

As the goods had been landed in Vancouver Island, and could not therefore be claimed as direct importations under the New Customs Act, the Council were of opinion that this application was similar to others which had already been refused, and that it could not therefore be entertained.

Read a Letter from Captain Stamp offering to undertake the ocean mail service by placing an English built Steamer on the line between San Francisco and New Westminster, for the sum of twelve thousand pounds per annum.

As Captain Stamp's letter gave no details as to the size of the vessel, the rate of speed, or the time at which Captain Stamp would be prepared to commence the service, the consideration of the subject was postponed and the Colonial Secretary instructed to communicate further with Captain Stamp.

The Council then adjourned.

Read and Confirmed.

Saturday 6th May 1865

(Signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council.

Saturday, the 6th day of May, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the previous meeting were read and confirmed.

Read, a despatch from the Secretary of State informing the Governor that it had been decided to charge the debt due to the Imperial Government for the Camp Buildings on the Loan last authorized.⁷

The Governor brought before the Council a further application which had been made by the manager of the Bank of British Columbia for a remission in the Government Assay Fees on Gold Bars assayed at the office which the Bank had determined to Establish at Cariboo.

This remission was applied for in Consequence of the intention of the Bank to pass all its gold through the government assay office, and thus become entitled to the lower rate of duty, namely, one shilling and six pence per

⁷ Cardwell to Seymour, 24 February 1865, No. 7, CO 398/2, pp. 294-95. The loan referred to is the "Ordinance to Authorize a Loan of £100,000, 1864."

ounce. The present assay charges amount to $\frac{1}{4}$ per cent, and application was made for a remission of $\frac{1}{2}$ of this charge or $\frac{1}{8}$ th per cent.

The majority of the council were of opinion that every advantage should be given to the Bank, as the large purchases of Gold likely to be made by them would much facilitate the collection of the Revenue.

The Attorney General saw some objection to this remission and suggested that the matter should be referred to the Superintendent of the Assay Department, and the Colonial Secretary was instructed to confer with Mr. Claudet.

Read petitions from the Clerks and Constables of the Cariboo and Quesnelmouth districts praying that the allowances which had been stopped since the commencement of the present year might be renewed in consequence of the high price of provisions.

The Council were of opinion that there was nothing to warrant an interference with the votes authorised by the Legislative Council, and that the Salaries placed in these Estimates were fair and ample remuneration for the services required.

The Governor brought before the Council the Tenders for the construction of a wagon Road from Alexandria to Quesnelmouth. The four Tenders received ranged from \$48,000 to \$74,000.

The Council saw no reason which the lowest Tender should not be accepted. The Colonial Secretary was therefore authorized to accept Mr. Robert Smith's tender.

Read a letter from Mr. Voigt a night watchman employed by the Inhabitants of New Westminster applying for remuneration from the government for his services.

The Council advised that no fixed remuneration be granted but that the Chief Inspector of Police be authorised to give Mr. Voigt a gratuity from time to time.

The Council then adjourned.

Read and confirmed.

Monday, 15th May 1865

(Signed) Arthur N. Birch
Colonial Secretary, and
Clerk to the Council

Monday, the 15th day of May, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the previous meeting were read and confirmed.

Read a Report⁸ which had been obtained in compliance with the wish of the Attorney General as expressed at the previous meeting, & dated 9th May 1865.

⁸ Claudet to Colonial Secretary, 9 May 1865, appended to minutes of 15 May 1865 transmitted to the Colonial Office, CO 62/2.

The Council were of opinion that as the loss to the Revenue, shown by this Report of Mr. Claudet's, would be so slight, it would be advisable to comply with the request of the manager of the Bank of British Columbia, namely, that all gold previously assayed by the Bank Establishment at Cariboo should be charged only half the government assay charges when reassayed at the government office in New Westminster, and the Colonial Secretary was authorised to inform Mr. Lang of this decision.

The Governor brought before the Council a memorandum of certain concessions applied for by Captain Stamp, the representative of a company formed in England for the purpose of cutting spars and Lumber on the coast of this Colony.

1stly That 15,000 acres of Timber land be granted to the Company on Lease for 21 years.

It was proposed to request Captain Stamp to inform the Government the locality of the land selected, promising at the same time very liberal terms should his selection not interfere with existing or prospective rights.

2ndly The purchase at the upset price of 100 acres for a mill site at Burrard's Inlet.

The Council saw no objection to this being granted on the understanding that the land so purchased should not interfere with the ground set apart for fortifications.

3rdly A Lease of 2000 Acres for grazing purposes.

The Council were of opinion that Captain Stamp should state the locality.

4thly Right of way for water for mill Race.

5thly The introduction, Duty free, of all Mill Machinery and raw material to be used bonâ fide for the manufacture of the Mill gear and machinery.

6thly That Burrard's Inlet be declared a Port of Entry.

The Council recommended that every facility be given to Captain Stamp and that the concession applied for be granted.

The Council then adjourned.

Read and confirmed.

Friday, 19th May 1865

(Signed) Arthur N. Birch
Colonial Secretary, and
Clerk to the Council

Friday, the 19th day of May, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Governor stated that he had called the Council together to consult with them upon the terms that should be offered to the California Steam Ship Company, for the Establishment of Steam Communication between New

Westminster and San Francisco, the Company having refused to name a Sum for this Service and a Telegram having been received stating that they awaited proposals from the British Columbian Government.

After some discussion it was decided that Mr. Homer, the member of the Legislative Council for New Westminster should be authorised to Telegraph to the Chairman of the Company, offering on behalf of the government a subsidy of \$2,000 a trip for every steamer arriving at New Westminster from San Francisco, leaving it optional with the Company to call at Portland or Esquimalt.

Read a letter from Mr. Scott, the contractor for the construction of the Burrard Inlet Road, setting forth his claim to compensation for extra work performed by him in excess of the contract specifications. As the Council were not aware of the extra work performed by Mr. Scott the Colonial Secretary was instructed to request Mr. Scott to furnish a detailed Statement of the work for which he claimed compensation and the consideration of the question was therefore deferred.

The Council then Adjourned.

Read and Confirmed.

Wednesday, 31st May 1865

(signed) Arthur N. Birch
Clerk to the Council &
Colonial Secretary

Wednesday, the 31st day of May, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

Read a letter dated 29th May from Mr. J. W. Trutch, reporting his return from leave of absence and the arrangements entered into with his brother for the sale of the Alexandria Bridge property.

The Council were unanimous in the opinion that Mr. John Trutch was not in a position to lay down the sums stated, nor to meet the Promissory Notes should the Bridge Speculation prove a failure and that consequently without further information it was impossible to consider the arrangement as a bonâ fide sale and release of Mr. Trutch's pecuniary interests in the Bridge. The Attorney General was requested to see Mr. Trutch and obtain if possible further information.

The Council then Adjourned.

The Council met again at five o'clock pursuant to adjournment.

The Attorney General stated that from the conversation which had passed between himself and Mr. Trutch, it was evident that the £7,000 to be paid down by

Mr. John Trutch would absorb his entire capital and that the debt to the Bank and the payment of the Promissory Notes would be contingent upon the success of the Bridge Traffic. Under these circumstances The Governor requested the written opinions of the members of Council whether Mr. Trutch should continue to hold office.⁹

The Council then Adjourned.

Read and Confirmed.

Thursday 8th June 1865

(signed) Arthur N. Birch
Clerk to the council and
Colonial Secretary.

Thursday, the 8th day of June, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Treasurer, The Surveyor General, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

Read, a letter from Mr. J. Scott reporting the completion of the Douglas Street and Burrards Inlet Road and claiming compensation to the amount of \$8,000 for extra work stated to have been performed over and above the specifications of the contract.

Read the following report from the Surveyor General on the subject.

Report by the Surveyor General

Having personally inspected the Road from New Westminster to Burrard Inlet, I find that in many particulars the specification has not been strictly complied with.

1stly That many portions of the Road remain soft and boggy which ought to have been corduroyed and can only be made permanently available by corduroying.

2ndly The ditches throughout are of less dimensions than required.

3rdly The brushwood has not been removed from the neighbourhood of Bridges and corduroys to a distance of thirty feet.

4thly The felled and dead timber has not been stacked along the 66 feet space.

The general character of the work is satisfactory and I am confident that more than the Contract price has been expended.

As to the claim of the Contractor Mr. Scott for a further payment beyond the contract price on account of Extra work done by him, I must advise that so far as I can ascertain, this claim cannot be sustained.

The general terms of the specification required all and more than he has performed, and as to the particulars of extra work alleged, I may remark.

1stly That the general line of road has not been altered further than the limits of the specification warranted, and so far as I am informed, has not been altered at all to the disadvantage of the Contractor.

2ndly The Bridging at Dress Creek was constructed by choice, instead of the usual corduroying required to be raised above the highest water level across the creek bottom. This Bridging cost probably rather more than corduroying, but \$5 per foot the cost of the bridging to Mr. Scott appears to me a most unnecessary price to have so expended.

⁹ These opinions are enclosed with Seymour to Cardwell, 30 June 1865, CO 60/22, pp. 155-83. The Executive Councillors all supported Trutch's appointment while acknowledging that his inability to surrender completely his interest in the Alexandra Bridge could compromise the public interests of the colony.

3rdly The only alteration in line of Road after the chopping had been done was for a distance of half a mile which could not have cost more than \$130 and this unnecessary clearing was caused by a misunderstanding, the fault of which is charged by the superintendent of the work to Mr. Scott.

As to the advanced cost of provisions stated by Mr. Scott, I am unable, having been absent from the Colony, to advise whether there was so great and unexpected a rise occasioned by circumstances which a Contractor could not reasonably have anticipated, as to afford grounds for peculiar consideration of the case.

5th June 1865

(Signed) Joseph W. Trutch

The Council were unanimous in the opinion that in view of the Surveyor General's report, Mr. Scott was not entitled to any payment over and above the amount of contract.

Read letter from Clerk to Municipal Council, New Westminster which having been referred for the opinion of the Attorney General, he had reported that:

Front Street is part of the City and the Government is not responsible to Mr. Scott or the Municipal Council for the cost of its construction.

5th June 1865

(signed) H. P. P. Crease

The Council Advised that the Attorney General's Report should be communicated to the Municipal Council.

Read a letter from Doctor Tolmie, stating that on and after the 1st July the Hudson Bay Company would require the subsidy for the conveyance of mail matter between this Colony and Vancouver Island to be increased from £120 to £400 per annum.

The Council were of opinion that the Service rendered, hardly justified the increased amount demanded and the Colonial Secretary was instructed to confer with Doctor Tolmie on the subject. If the Hudson Bay Company insisted on the increased amount as specified, it would be granted, on the understanding that the government would reserve the right to break the Contract at any time.

The Council then Adjourned.

Read and Confirmed.

Saturday, 1st July 1865

(signed) Arthur N. Birch
Clerk to the Council &
Colonial Secretary

Saturday, the 1st day of July, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissioner of Lands & Works, The Collector of Customs.

The minutes of the previous meeting were read and confirmed.

Read the Tenders for the completion of the Douglas street Road.

The Council advised that the recommendation of the Chief Commr. of Lands &c. be accepted and that Mr. Sharp receive the contract. Mr. Sharp's was the lowest Tender and amounted to (\$1,150) eleven hundred & fifty dollars.

The Governor brought before the Council the question of the expediency of the Government taking possession of the Plank Roadway, known as Front Street in the Town of New Westminster, & paying the debt due by the Municipal Council to Mr. J. T. Scott for its construction.

The Chief Commissioner of Lands &c. requested time to consider the subject which was an important one and the Council was therefore adjourned until Monday the 3rd Instant.

Read and confirmed.

Monday 3rd July 1865

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Monday, the 3rd day of July, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissioner of Lands & Works, The Collector of Customs.

The minutes of the previous meeting were read and confirmed.

The question of undertaking the payment of the debt incurred by the Municipal Council of New Westminster for the Construction of Front Street was again brought before the Council.

From a memorandum prepared by the Auditor General it appeared that the total amount received by Government for Wharf rents and which had—by an agreement made with Sir James Douglas—been paid over to the municipal Council to meet the expenses of this work amounted to £569.0.10 whereas it appeared from the Papers and documents before the Council that the sum paid to the Contractor did not exceed £111.1.4 up to the present time. A decision in the matter was therefore deferred until further information could be obtained on this point.

Read a letter from Mr. Alfred Waddington claiming compensation for the loss of a scow at Bute Inlet.

The Council were of opinion that the amount claimed for the scow was excessive and that a sum of two hundred and fifty dollars (\$250) would be ample remuneration but that as the claim had been made through the naval Authorities, the Council advised that Admiral Denman be requested to settle the matter with Mr. Waddington.

The governor brought before the Council the question of paying from the Colonial Revenue the expenses incurred by H.M.S. "Cameleon" in proceeding to Fort Rupert in search of "Antoine" the murderer of Mr. Ogilvy.

The Council advised that—although no requisition had been made on the Navy for this service—the amount be paid and that an allowance should also be paid to Lieut. Bruce and his party while travelling in the bush in search of the murderer.

The allowance to be at the same rate as paid to the crew of H.M. Gunboat "Grappler" when stationed at Bute Inlet in October last.

The Council here adjourned.

Read and confirmed.

Monday 17th July 1865

(signed) Arthur N. Birch
Colonial Secretary and
Clerk

Wednesday, the 12th day of July, 1865

Present: His Excellency The Governor and The Honorables The Attorney General, The Treasurer, The Surveyor General, The Collector of Customs.

The Honorable The Colonial Secretary was absent by Leave.

Read, the Judge's notes on the trial of Ahan and Lutas two Chilicoten Indians convicted of the murder of Peter Macdougald and now lying under sentence of death.

The Attorney General who had presided over the Court, under a special commission, afforded assistance to the Council in arriving at a decision.

In the case of Ahan, who, as chief of the Sutless tribe, had taken a prominent part in the massacre of Macdonald's party to which Macdougald belonged, it was determined to allow the sentence of the Law to take its course.

As regards Lutas his extreme youth and the recommendation of the Judge was taken favorably into consideration.

The Governor, observing that in his opinion a sufficient number of lives would, after the execution of Ahan, have been taken to atone for the Indian Massacres of last year, announced his intention of granting Lutas a free pardon and sending him back to his Tribe.

The Council adjourned.

Read and confirmed.

Monday 17th July 1865

(signed) Arthur N. Birch
Colonial Secretary and
Clerk

Monday, the 17th day of July, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commr. of Lands &c., The Collector of Customs.

The Honorable the Treasurer was absent by Leave.

The minutes of the two preceding meetings were read and confirmed.

Read a letter from Mr. Homer on the subject of the Ocean Mail Service & stating the terms on which Captain Thorne of the Steamer "Active" offered to convey the mail matter.

The Council were of opinion that the proposals now made by Captain Thorne were unsatisfactory, that the branch service which it was contemplated to perform between Astoria and New Westminster was not of sufficient advantage to justify so large a subsidy and that it would in no way compensate for direct Steamers from San Francisco for which Service the Council had advised that the sum of \$2000 a trip be offered to the steamship Company.

The Surveyor General stated that he had been informed the Ocean Steamers would still continue running to Esquimalt as heretofore and that the steamer offered by Captain Thorne would merely undertake—as it were—a coasting trade.

The Council therefore advised that Mr. Booker H.B.M. Consul at San Francisco be applied to for information on this point and that Captain Thorne be requested to supply further details as regards the service he intends to perform with the Steamer "Active".

The Council then adjourned.

Read and Confirmed.

Friday, 21st July 1865

(signed) Arthur N. Birch
Colonial Secretary & Clerk

Friday, the 21st day of July, 1865

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the last meeting were read and confirmed.

Read letter from Mr. P. H. Nind reporting the capture of the Indian Moyese, who when under sentence of death in 1863 escaped from the gaol at William's Creek.

Read the Judge's notes taken at the trial.

It appeared that Moyese was the most implicated of the four Indians, three of whom suffered the extreme penalty of the Law in 1863 (November) for several murders of white men committed by them.

Since Moyese's escape he had been the terror of people living in the neighbourhood of William's Lake and several petitions had been received praying the government to organize a force for his capture.

The Council were unanimous in the opinion that the extreme sentence of Death should be carried out and that the Magistrate should be instructed accordingly.

The Council then adjourned.

Read and Confirmed.

Wednesday, 23rd August 1865

(signed) Frederick Seymour

Thursday, the 10th day of August, 1865¹⁰

Present: His Excellency The Governor and The Honorables The Attorney General, The [blank].

The Honorables The Colonial Secretary and the Chief Commissioner of Lands and Works were Absent on duty in the Upper Country.

The Minutes of the last meeting were read and confirmed.

Wednesday, the 23rd day of August, 1865

Present: His Excellency The Governor and The Honorables The Attorney General, The Treasurer, The Collector of Customs.

The Honorables The Colonial Secretary and the Chief Commissioner of Lands & Works were absent on duty in the Upper Country.

The minutes of the previous meeting were read and confirmed.

Read letter from Queen Charlotte's Coal Mining Company applying for a charter to enable them to work Anthracite Coal.

The Governor was advised to reserve the 20,000 acres on Skidegate Straits applied for, to the Crown and to grant a lease for the term mentioned of 5,000 acres.

The Governor brought forward verbal applications from Captain Stamp for some more land near Burrard's Inlet and for some immediately contiguous to New Westminster. The former the Governor was advised to grant, the latter not.

The Governor also stated that Captain Stamp was very anxious to have the road continued from the present terminus at Burrard's Inlet to his saw mill. It appears that the work could be performed for about £1200. The

¹⁰ The Executive Council Minutes, PABC, contain the following unsigned entry for 10 August 1865, which was omitted from the copy forwarded to the Colonial Office.

Governor expressed himself willing, if the state of the finances allows of it, to have the work performed and will instruct the Surveyor General on the subject.

Mr. Harbour-Master Cooper's Application of 18th August for an increase of salary read.

Each member expressed a wish that he could see a sufficient amount of work to justify his recommending an increase.

The Governor stated his intention of communicating with Mr. Cooper his regret that the duties of Harbour Master being so light he cannot recommend any addition to the Salary.

In obedience to the commands of the Secretary of State for the Colonies the Governor laid the Act 28 & 29 of Victoria cap. 14, Colonial naval defence Act, before the Council.

Members were unanimously of opinion that the present condition of the finances will not allow of the application of the Act to this Colony at once.

The Council adjourned.

Read and Confirmed.

9th September 1865

(Signed) Arthur N. Birch
Officer administering
the Government

Saturday, the 9th day of September, 1865

Present: The Honorables The Colonial Secretary, The Attorney General, The Treasurer, The Surveyor General, The Collector of Customs.

His Excellency Governor Seymour having left for England on the 7th Instant, The Colonial Secretary took the Oaths as Administrator of the Government in conformity with the Royal Instructions and The Secretary of State's Despatch, marked, "Separate" of 25th Feby. 1865.

Read the Royal Instructions.

The Officer Administering the Government brought before the Council an offer verbally made to him by Dr. Tolmie of the Hudson Bay Company, to place the Company's steam ship "Labouchere" on the line between San Francisco and New Westminster for the conveyance of a monthly mail during the months of November, December and January, the subsidy to be \$3000 a month.

The Council were of opinion from their previous knowledge of the capabilities of the "Labouchere" that the sum asked was excessive and advised that the offer be declined.

The question of granting a government premium for the erection of the first Grist Mill in the Upper Country was again brought before the council, and the

offer of Mr. Bates to guarantee the erection of a Steam mill on receiving a promise of a grant of two thousand Acres of land from the Government, on the completion of the mill, was considered.

The Council were inclined to entertain Mr. Bates' proposition favourably, but the Clause [XXI] in the Royal Instructions prevented the Governor from making a grant of Land to or "for the use of any private Person unless in consideration of payment in money for the same." The Collector of Customs suggested that a Lease of the Land be granted to Mr. Bates at a nominal Rent.

Read, Petition from Artesian Mining Company, praying for an extension of the time for placing machinery on their Claim at William's Creek.

The Council advised that the prayer of the petitioners be granted, and that the first day of June 1866 be fixed as the utmost extension of time that would be granted.

The Council then adjourned.

Read and Confirmed.

Tuesday, 3rd October 1865

(Signed) Arthur N. Birch

Tuesday, the 3rd day of October, 1865

Present: His Honor The Officer Administering The Government and The Honorables The Attorney General, The Treasurer, The Collector of Customs.

The Honorable The Chief Commissioner of Lands and Works was absent by Leave.

The minutes of the last meeting (9th September 1865) were read and confirmed.

The Honorable Henry Maynard Ball, Magistrate and member of the Legislative Council, having been appointed Acting Colonial Secretary during the Administration of His Honor A. N. Birch, was sworn in as a member of the Executive Council.

His Honor laid before the Council a Letter from Captain Stamp, applying for an extension of the Burrard Inlet Road to the site of his Saw Mills.

It was unanimously proposed to defer the matter until further inquiries had been instituted.

The application in the same letter for a Buoy to be laid down in Burrard's Inlet was approved of.

Another application in the same letter for the remission of Customs Duties on Articles for the use of the Saw Mills was proposed to be granted and was referred to the Collector of Customs.

A proposal also that Burrard's Inlet be made a Port of Entry was deferred.

A Letter from Messrs. Frontin & Co. was laid before the Council respecting the granting of a Lease of Land, sixty miles square, for prospecting for Copper Ore.

It was unanimously considered that the application was too extensive.

A Letter from the Captain Commanding the New Westminster Rifle Volunteers asking for an appropriation of money for repairs to the Drill shed was read and laid before the Council.

The amount was proposed to be granted.

Read the Despatch from the Secretary of State informing Governor Seymour that the Imperial Government declined to defray any part of the expenses incurred on account of the Chilicoten Insurrection.¹¹

The Council then adjourned.

Read & confirmed.

Wednesday 11th October 1865

(signed) H. M. Ball

Acting Col. Secty. & Clerk to
the Council

Wednesday, the 11th day of October, 1865

Present: His Honor The Office Administering the Government and The Honorables The Acting Colonial Secretary, The Treasurer, The Chief Commissioner of Lands &c., The Collector of Customs.

The Honorable The Attorney General was absent by Leave.

The minutes of the preceding meeting (Tuesday 3rd October 1865) were read and confirmed.

His Honor laid before the Council a letter from the Postmaster General respecting an Application from the Post Master of Cariboo for leave of Absence to proceed to England.

The application was proposed to be granted.

Read a Letter from Messrs. Orr & McLoughlin respecting a Lease of Land for Prospecting for Petroleum.

After discussion the Council advised to defer the matter for further consideration.

Read, a petition from Inhabitants of New Westminster praying for an extension of the Burrard's Inlet Road to Captain Stamp's Saw Mills.

In the opinion of the Council the outlay requisite was considered too much to justify the request of the Petition being entertained, but a Survey of a Line for a Trail was ordered to be made.

A Letter from the Contractor for the Light Ship was discussed and proposed to be referred to the Harbour Master.

Read, the Report of The Honble. C. Brew respecting the Gold prospecting party on Seymour Creek, Burrard's Inlet.

¹¹ Cardwell to Seymour, 22 July 1865, CO 398/2, pp. 330-31.

A Letter from Mr. Jackson asking for remuneration for injuries received when in the government employ, was read.

The Council advised that a gratuity of one hundred dollars (\$100) should be granted.

The Council then adjourned.

Read & Confirmed.

Tuesday, 24th October 1865

(signed) H. M. Ball

Acting Col. Secy. & Clerk to
the Council

Tuesday, the 24th day of October, 1865

Present: His Honor The Officer Administering the Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissioner of Lands & Works, The Collector of Customs.

The minutes of the last meeting (11th October 1865) were read and confirmed.

His Honor laid before the Council a letter from Mr. W. H. Woodcock respecting the building of a steam Boat on Shuswap Lake, and a Subsidy being granted for carrying the mails from New Westminster to the Columbia River.

The matter was discussed and proposed to be deferred.

His Honor also laid before the Council a letter from the Honorable The Chief Commissioner of Lands & Works respecting the payment of Rent by Public Officials occupying Government Buildings.

Considerable discussion thereon ensued.

The Honorable the Collector of Customs was opposed to the principle in general and stated that as regarded himself, he had been ordered on his arrival in the Colony in 1859, by the late Governor Sir James Douglas, to reside in the Custom House Buildings. Furthermore that several officials at that time had been granted a Town Lot at the upset price for the purpose of building a private residence, but that as he had received no such boon, he considered that he ought not to pay any rent.

The Honble. The Treasurer was also opposed to the principle, but at the same time felt that he was scarcely in a position to give an opinion on the subject as he was personally interested, being himself an occupant of Government Buildings.

The Honorable the Attorney General considered, that all Public Officials were not treated alike with respect to residences, as several officials of high standing lived in Government Buildings free of Rent, whereas he had been obliged to build a private residence for himself, on his assumption of office, that a uniform system should be established, and that officials occupying Public Buildings should be charged a Rent in conformity with the style of Building.

The Honbles. The Surveyor General & The Acting Colonial Secretary coincided with the opinion of the Attorney General.

The Council here adjourned.

Read & Confirmed.

Monday, 6th November 1865

(signed) H. M. Ball

Acting Col. Secy. & Clerk to
the Council

Monday, the 6th day of November, 1865

Present: His Honor The Officer Administering the Govt. and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands & Works, The Collector of Customs.

The minutes of the preceding meeting (24th October 1865) were read and confirmed.

Read, A Despatch from the Secretary of State respecting the repayment of the sum of £10,704.16.8 for Buildings &c. erected by the Royal Engineers at the Camp, New Westminster.¹²

An application¹³ for the remission of duties on certain Articles connected with the working of machinery was brought before the Council.

After discussion the matter was referred to the Collector of Customs for further information.

Read, two letters¹⁴ from Mr. Mortimer Robertson applying for Leases of Land on Cherry Creek for the purpose of working a Silver Lead.

The privilege of Prospecting over two miles square for eighteen months was granted and a further privilege of selecting at the end of that period half a mile square for twenty one years to work the Lead.

The Lease of the Queen Charlotte Coal Mining Company was laid before the Council, and discussed.

The Council being divided in opinion as to whether the Company should have the privilege of purchasing one Thousand acres of Land in addition to the grant of a Lease of five thousand Acres, The matter was deferred for the further consideration of His Honor.

The privilege of working the baser metals was not granted.

The question of the rate of Royalty to be paid to the Government was discussed.

The rate decided upon was six pence per Ton.

¹² Cardwell to Seymour, 1 June 1865, CO 398/2, pp. 316-17.

¹³ This application, Dietz and Nelson to Colonial Secretary, 20 October 1865, was appended to minutes of 6 November 1865 transmitted to the Colonial Office, CO 62/2.

¹⁴ These applications, Robertson to Colonial Secretary, both dated 2 November 1865, were appended to minutes of 6 November 1865 transmitted to the Colonial Office, CO 62/2.

The appointment of a Revenue Officer at Burrard's Inlet was brought before the Council, & the question was referred to the Collector of Customs.

The Honorable The Treasurer requested that an alteration be made in his remarks as entered upon the minutes of the meeting held on 24th October, he not having been present when they were read & confirmed.

The Council consented to the following words being substituted: "That while not opposed to the principle he doubted whether it could be carried out with justice or advantage in the present stage of the Colony."

The Council then Adjourned.

Read & Confirmed.

Wednesday, 15th November 1865

(signed) Henry M. Ball

Acting Colonial Secy. &
Clerk to the Council.

Wednesday, the 15th day of November, 1865

Present: His Honor The Officer Administering the Govt. and The Honorables The Acting Colonial Secretary, The Attorney General, The Chief Commr. of Lands & Works, The Collector of Customs.

The Honorable The Treasurer was absent by Leave.

The minutes of the last meeting were read and confirmed.

His Honor Mr. Justice Begbie's notes of the trial of Ah Chew and Ah Foi, convicted at the Lytton Assizes for the murder of another Chinaman were laid before the Council.

The Verdict of "Guilty" being accompanied by a recommendation for mercy from the Jury, & supported by the Judge, a discussion ensued whether the facts elicited by the evidence, justified the plea of mercy being entertained.

Mr. Justice Begbie, who had been requested to attend, was questioned by the Council on the matter and still adhered to his opinion, as expressed in his notes, that the facts fully justified the recommendation of mercy by the Jury, but he suggested that if there were any points in the evidence with which the Council was not satisfied the Prisoners should be examined by the Council.

The Judge having withdrawn.

The Honble. The Collector of Customs could not consider the evidence, as taken in the Judge's notes, sufficient to justify the plea of mercy, and would be very anxious for further information either as suggested by the Judge or otherwise, but he was bound to consider the case as it now stood a case of deliberate murder.

The Honble. The Chief Commr. of Lands was of opinion that the murder was not premeditated, and that the recommendation to mercy, made by the Jury, supported as it was by the remarks of the Judge should be favourably

considered. He was opposed to any general examination of the Prisoners though he had no objection to their being questioned on two points in the evidence on which he was not quite satisfied.

The Honble. The Attorney General strongly supported the recommendation of the Judge & Jury, and was entirely opposed to any examination of the Prisoners before the Council, as being equivalent to a second trial.

The Honble. The Acting Colonial Secretary considered that the greater part of the evidence justified the extension of mercy to the Prisoners, but considered it would be more satisfactory if they were examined on the same two points as referred to by the Chief Commissioner of Lands &c.

The notes of the trial of the Indian "Pil-pol-schen" who was tried at the same Assizes for the murder of another Indian and sentenced to Death, were read.

The Council advised unanimously that the sentence should be carried out.

Read a letter from the Chief Commr. of Lands &c. enclosing a communication from Mr. Robert Smith.¹⁵

The matter was left to the discretion of the Chief Commr. to arrange.

Read, a Letter from Mr. Alfred Waddington respecting the concession of certain privileges to a Company about to be formed in England for Building the Bute Inlet Road.

After discussion the matter was deferred for further consideration.

Proposals from Messrs. Elliot & Co. and the Hudson Bay Company to run a steamer from San Francisco to New Westminster via Victoria, on the receipt of a subsidy from the government were submitted to the Council by His Honor.

The Council unanimously advised to reject the proposal of Messrs. Elliot & Co. as the vessel proposed to be employed in the service, the "Thames" was considered unfit for the work.

The proposal of the Hudson Bay Company was deferred for further consideration.

The Council here adjourned.

Read and confirmed.

Monday, 27th Novr. 1865

(signed) H. M. Ball
Acting Colonial Secy.
and Clerk to the Council

¹⁵ Trutch to Colonial Secretary, 7 November 1865, enclosing a letter from Robert Smith to Trutch, 31 October 1865, Lands and Works Department, Correspondence Outward, Colonial Correspondence, F943/1, PABC. Smith protested the forfeiture of his road contract with the government on the grounds that his work had been unfairly represented to the government by the government agent, Thomas Spence. The proceedings taken against Mr. Smith by the Chief Commissioner of Lands and Works were subsequently confirmed by the Officer Administering the Government.

Monday, the 27th day of November, 1865

Present: His Honor The Officer Administering the Govt. and The Honorables The Acting Colonial Secy., The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the last meeting (15th November 1865) were read and confirmed.

His Honor laid before the Council a letter from the manager of the Bank of British Columbia respecting the Govt. Debt and the limit to which the government Account could be overdrawn.

The matter was discussed and it was proposed to confer with the Bank of British North America.

Read, the Report of the Grand Jury at Yale, also, a letter from Mr. Justice Begbie, respecting the investigation of a murder committed near Yale in 1859.

The matter was referred to Mr. Brew, Chief Inspector of Police.

Read a letter from the Chief Commr. of Lands & Works respecting the selection of the best line of road from New Westminster to Captain Stamp's mill at Burrard Inlet.

The Surveyor's Reports were also read.

It was decided that the line via "False Creek" should be selected and that the road should be made when the finances of the Colony would admit of it.

A Statement of the Accounts of the New Westminster Hospital, drawn up by the Board of Management was laid before the Council.

His Honor was advised to devote a further sum of money from the Public Revenue to enable the Board to meet the expenses to the end of the year as the Council were of opinion that the Hospital could not be closed.

An application to purchase a piece of Land near New Westminster called St. Mary's Hill, "reserved for military purposes" was discussed and proposed by the Council to be deferred for further consideration.

A letter from the Captain Commanding the New Westminster Rifle Volunteers, asking for a grant, for the support of the Corps, from the Public Revenue was brought under discussion.

It was unanimously proposed to assist the Corps by granting an Annual sum not exceeding one hundred pounds.

His Honor brought the question of the expediency of offering a Reward for the discovery of the perpetrators of a Murder near Soda Creek before the Council.

It was advised that a Reward of one thousand dollars should be offered. Read and confirmed.

Thursday, 21st December 1865

(signed) H. M. Ball
Acting Colonial Secy.
& Clerk to the Council

Thursday, the 21st day of December, 1865

Present: His Honor The Officer Administering the Govt. and The Honorables The Acting Colonial Secretary, The Attorney General, The Chief Commr. of Lands &c., The Collector of Customs.

The Honorable The Treasurer was absent by Leave.

The minutes of the preceding meeting were read and confirmed.

His Honor laid before the Council the following proposals and letters relating to the grant of a subsidy for building and running a Steamer on Shuswap Lake, for the transport of merchandize and passengers to the mines on the Columbia River.

1. Proposal from the Hudson Bay Company,
2. Proposal from Mr. W. Woodcock,
3. Proposal from Messrs. Moore & Millard,
4. Proposal from Messrs. Smith & Ladner,
5. Proposal from Mr. G. B. Wright,
6. Proposal from Captain W. Irving.

It was decided that the proposal of Captain Irving should be accepted.

Tenders for the construction of a waggon Road from Cache Creek to Savona's Ferry were also brought before the Council.

It was decided unanimously that the Tender of Mr. G. B. Wright should be accepted.

The subject of the Interior postal Service for the ensuing year was discussed.

It was proposed that Tenders should be asked for as to the cost of a weekly and a bi-weekly service for one or two years.

The Pilot System of the Colony was generally discussed by the Council.

The Council here adjourned.

Read and Confirmed.

Saturday 23rd December 1865

(signed) H. M. Ball
Acting Colonial Secy. and
Clerk to the Council

Saturday, the 23rd day of December, 1865

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Treasurer, The Chief Commissioner of Lands &c., The Collector of Customs.

The Honorable The Attorney General was absent by Leave.

The minutes of the last meeting (21st December 1865) were read and confirmed.

The subject of direct steam Communication between San Francisco and New Westminster viâ Victoria was brought before the Council by His Honor and after discussion was deferred for future consideration.

The expediency of the abolition of the Gold Export Tax was generally discussed.

The Council being fully impressed with the justice of the Export Tax, is however of opinion that it should be abolished, in consequence of the impracticability of collecting the Tax on such an extensive frontier line as bounds British Columbia, and the extreme unpopularity of the Tax as there is no similar Tax in the neighbouring American States.

The Council here adjourned.

Read and Confirmed.

Wednesday, 10th January 1866

(signed) H. M. Ball
Acting Colonial Secy. &
Clerk to the Council

Wednesday, the 10th day of January, 1866

Present: His Honor The Officer Administering The Govt. and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Surveyor General, The Collector of Customs.

The minutes of the preceding meeting were read over and confirmed.

His Honor laid before the Council a letter from the Hope Silver Mining Company requesting a suspension of the works for a period of twelve months without forfeiture of their privileges.

It was proposed to accede to the request.

A Petition from the inhabitants of Yale asking for a road from the town to the burial ground was read.

The matter was proposed to be referred to the Surveyor General for his report.

An application for a mining Lease on "Salmon River" was read.

It was proposed to grant it.

The subject of direct steam communication between San Francisco and New Westminster was again discussed.

The Council were of opinion that it was essential there should be direct Steam Communication whether in connection with Vancouver Island or not.

His Honor laid before the Council a letter from Mr. Justice Begbie respecting the appointment of Captain G. W. Holmes as Registrar of the Supreme Court. The majority of the Council were of opinion that the Appointment should not be gazetted until His Honor had conferred further with Capt. Holmes.

The Council here adjourned.

Read & Confirmed.

Thursday, 18th January 1866

(sd.) H. M. Ball
Acting Col. Secy. & Clerk
of Council

Thursday, the 18th day of January, 1866

Present: His Honor The Officer Administering The Govt. and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting were read over and confirmed.

His Honor laid before the Council Despatches from the Secretary of State respecting the validity of the convention of the Legislative Council by Governor Seymour on 13th [12th] Decr. 1864, and consequently embracing the validity of the Ordinances passed by the Council during the Session.¹⁶

The Council discussed the various points referred to in the despatches but not agreeing as to the advisability or legality of convening another Council without a second Proclamation being issued by His Honor.

It was proposed to defer the matter until the Attorney General had laid before the Council his opinion as to the legality of such a proceeding.

The Council here adjourned until 11 oclock A.M. on the 19th Inst.

Friday, the 19th day of January, 1866

The Council met pursuant to Order.

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The Despatches from the Secretary of State relative to the validity of the convention of the Legislative Council by Governor Seymour, 13th [12th] Decr. 1864 were again laid before the Council and in pursuance of the opinion of the Attorney General, it was unanimously proposed that a Notice should be issued re-appointing the several members and convening the Council to meet on the 22nd January 1866.¹⁷

A Letter from Mr. Frontin applying for an exclusive Reserve on Queen Charlotte's Island to search for Cannel Coal was read.

It was proposed to reserve two thousand acres for that purpose for one year.

A Report from the Chief Commissioner of Lands and Works respecting a claim made by the manager of the Bank of British Columbia for the payment of the 4th Instalment of the price of the contract awarded to Mr. Smith was read over.

¹⁶ Cardwell to Seymour, 3 March 1865 and 7 October 1865, Separate, CO 398/2, pp. 299-302, 365-73. See also Seymour to Cardwell, 18 May 1865, and 12 June 1865, Confidential, enclosing Crease to Seymour, 7 July 1865 (Secret), CO 60/21, pp. 508-18, and CO 60/22, pp. 107-25.

¹⁷ *Ibid*; Crease to Birch, 18 January 1866, Secret and Confidential, Attorney General, Correspondence Outward, F67, Colonial Correspondence, PABC.

The matter was deferred to enable the Attorney General to furnish a Report thereon.

The Council here adjourned.

Read and Confirmed.

Monday, 29th January 1866

(signed) H. M. Ball
Clerk of the Council &
acting Colonial Secretary

Monday, the 29th day of January, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meetings (January 18th & 19th) were read over and confirmed.

His Honor laid before the Council a Letter from Mr. Oliver Hare, Acting Registrar of the Supreme Court, respecting the sudden loss of his appointment and asking for a gratuity from the government.

The general opinion of the Council was, that as soon as an opportunity offered, another appointment equivalent in Salary to the half pay of the Registrarship, should be offered to him, and in the event of his non acceptance of the offer, that a gratuity of either two or three months pay should be granted in order to enable him to procure employment elsewhere.

A Tender for the carriage of the mails in the interior of British Columbia was read.

The advice of the Council was that the Tender should be laid before the Legislative Council.

The subject of direct steam communication with San Francisco was again discussed.

An offer for the conveyance of the British Columbian Mails from New Westminster to San Francisco and back, made by Captain Thorne of the Steamer "Active" was communicated to the Council by His Honor.

The Council advised that it should be accepted.

A circular despatch from the Secretary of State respecting the advisability of insuring Stores shipped from any ports for the Colony was read.

The majority of the Council were of opinion that in the present State of the Colony it would be more advisable to insure them.

A Despatch from the Secretary of State, together with a Letter from the Lords of the Treasury respecting the repurchase of Debentures in accordance with the British Columbian Loan Act 1864, was read.¹⁸

¹⁸ Cardwell to Birch, 16 November 1865, CO 398/2, pp. 387-88.

The Council advised that the Debentures when at a Discount should be repurchased by the Trustees who should hold the same uncanceled and invest the Interest arising from these Debentures either in the repurchase of more Debentures or in other securities.

The Council here adjourned.

Read and Confirmed.

Tuesday, 6th February 1866

(signed) H. M. Ball

Clerk & Acting Colonial Secretary.

Tuesday, the 6th day of February, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting were read over and confirmed.

The opinion of the Attorney General respecting a claim made by the Bank of British Columbia on the fourth instalment of Mr. Smith's waggon Road contract price was read over.

The Council considered that the Bank had no legal claim on the government for the payment of the Amount as the contract had been forfeited, but as the money had been expended in the construction of the road and in payment of labourer's wages, advised that it should be allowed as a matter of equity.

The opinion of the Chief Commr. of Lands and Works on the rules to be adopted in Leasing Silver Leads, and the different rents & royalties to be charged, was read.

The matter was generally discussed by the Council, but was deferred for further consideration and the written opinion of respective members of the Executive Council.

The subject of the inland Postal Service was discussed. As no satisfactory arrangement had been arrived at by the issue of Tenders to perform the Service by contract the Council advised that the Government should prepare to take the Service under their own management.

The Council here adjourned.

Read and Confirmed.

Friday, 23rd February 1866

(signed) H. M. Ball

Clerk & Acting Colonial Secretary

Friday, the 23rd day of February, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting were read over and confirmed.

A Petition from the Ladies of New Westminster for the remission of a part of the sentence of Imprisonment passed on a Kanaka was read.

The Collector of Customs was of opinion that the sentence should be remitted on grounds of charity.

The Attorney General and Chief Commissioner saw no grounds for the petition being granted.

The Treasurer was opposed to the petition being granted but considered the recommendation of the Chief Inspector of Police should be respected, and would prefer that the case should be referred to Mr. Justice Begbie.

The Acting Colonial Secretary was in favour of remitting the sentence on grounds of charity.

A Letter from the Warden of the gaol to the Chief Inspector of Police, soliciting the clemency of his Honor in favor of a prisoner named Charles Evans in consequence of good behaviour was read.

The council unanimously advised the remission of the remainder of the Sentence.

A letter was read from the Municipal Council of New Westminster respecting the appropriation of the sum previously promised for the repairs of Front Street.

The Council advised that the amount should be at once placed in the hands of the Municipal Council to be expended solely on the proposed works.

A Letter from the British Columbia Coal Company applying for six hundred Acres of Lands was read.

The matter was deferred for production of some former papers.

A Letter from the British Columbian Mill Company applying for a Lease of ten thousand acres of Timber land was read.

The matter was deferred for maps of the proposed locality to be furnished.

A Petition from the inhabitants of Yale & Lytton praying for the abolition of the Road Tolls was laid before the Council.

A discussion ensued thereon and the matter was deferred until the next meeting of the Council.

The Council here adjourned.

Read and confirmed.

Tuesday, 13th March 1866

(signed) H. M. Ball

Clerk and Acting Colonial
Secretary

Tuesday, the 13th day of March, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting were read over and confirmed.

His Honor brought before the Council the question, whether the mining claims at Big Bend should be laid over until 1st June in accordance with the miners meeting, or until 1st May, as announced by the Acting Gold Commissioner.

The Council advised that the date named by the miners at the meeting, namely, 1st June should be adhered to.

His Honor laid before the Council the route of the circuit of Mr. Justice Begbie for the ensuing year and the dates of the Assizes at each place.

The Council deemed it advisable not to alter the proposed routine with the exception of Williams Creek where it was considered necessary for the term to be extended a fortnight longer.

A Letter from Mr. Sanders, Stipendiary Magistrate at Yale, respecting the Appointment of a constable near Kamloops was read.

The Council thought it advisable that one should be appointed, leaving it to the discretion of Mr. Sanders as to the time.

A Petition from several inhabitants in the neighbourhood of New Westminster for the reconstruction of the Bridge at Coquitlam was read.

The Council advised that it should be rebuilt.

A Letter from the Harbour Master claiming compensation for acting as Pilot was read.

The Council considered that there were no grounds for the claim.

A second letter from the Harbour Master was read respecting the change of channel at the Sand Heads, and the necessity for the Licensed Pilots acquiring an accurate knowledge of the altered channel.

The Council considered the Pilots should be instructed to qualify themselves in order to be competent to Pilot vessels into Fraser River.

His Honor laid before the Council Letters from Messrs. Smith & Ladner asking for a reimbursement of monies expended on a contract which was afterwards forfeited.

The Council advised that the claim should not be entertained.

A Despatch from the Secretary of State respecting the investment of surplus funds not immediately required for the service of the government was read to the Council.¹⁹

The Council here adjourned.

Read & confirmed.

Wednesday, 21st March 1866

(signed) H. M. Ball

Clerk and Acting Colonial Secretary

¹⁹ Cardwell to Birch, 10 January 1866, CO 398/2, pp. 394-95.

Wednesday, the 21st day of March, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the previous meeting were read, and confirmed.

The following letters were laid before the Council and read.

A Letter from the Assistant Engineer of the Western Union Telegraph Company respecting a Report of an infringement of the privileges granted to the Company by the government of British Columbia.

The Council proposed that a letter should be written to the Company on the subject, but no other steps could be taken towards the investigation of the report.

A Letter from Constable Deas respecting a claim for three month's Salary and travelling Expenses in consequence of the loss of his office, his services being no longer required.

The Council decided that the amount claimed for travelling expenses should be allowed but that he had no grounds for any further claim.

A Letter from Messrs. Smith and Ladner applying for a charter to collect Tolls on a Trail leading from Shuswap Lake to the Columbia River.

The Council were unanimously of opinion that the charter should not be granted.

A Letter from the Chief Commissioner of Lands and works with enclosures from the manager of the Hudson Bay Company in Vancouver Island, respecting the Government Reserve at the North-East end of Shuswap Lake a portion of which the Company claims as a pre-emption right.

The Council unanimously expressed their opinion that the dates of the Public Notices of the reserve which were posted on the ground and advertised in the government gazette were prior to the date of the record of the claim of the Hudson Bay Company.

His Honor brought before the Council the question, whether it was advisable to make another offer to Messrs. Brown & Gillis respecting their claim for compensation at Quesnelmouth, or not.

The Council advised that for the present the government should abide by their first offer, and await until further Action had been taken by Messrs. Brown and Gillis in the matter.

The Supplementary Estimates for the year 1865 were laid before the Council by His Honor and read over to the members, previous to their introduction into the Legislative Council.

The Council Adjourned.

Read & Confirmed.

Tuesday, 10th April 1866

(signed) H. M. Ball

Clerk & Acting Colonial Secretary

Tuesday, the 10th day of April, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting—March 21st—were read over and confirmed.

His Honor laid before the Council the following letters:

A Letter from the Chief Commr. of Lands &c. with an enclosure respecting the pre-emption claim of Captain Mouatt.

The Council was unanimous in opinion that Captain Mouatt had no right to the claim.

A Letter from Captain Stamp respecting the Road to Burrard Inlet via False Creek.

The Council advised that the Line of Road should be marked out and Tenders asked for afterwards.

A Letter from the Harbour Master, enclosing a petition from the Lumberers at Burrard's Inlet asking for the replacement of two Buoys at the entrance of the Inlet.

The Council recommended that the Buoys should be replaced, and that the work should be performed by H.M. Surveying ship "Beaver."

His Honor laid before the Council the contract made by the Government for direct steam communication with San Francisco, with the view of taking the opinion of the Council as to whether the Bonds should be escheated for a breach of the conditions or not.

The Council advised that the Government should communicate with the contractor respecting the breach of the terms and await his explanations.

On the written application of the Treasurer the accompanying correspondence²⁰ was read in Council, and the subject being thus brought before the Council Mr. Franks proceeded to give a verbal explanation of the matter.

The Council considered it advisable that a written explanation should be handed in before the subject was further discussed.

On the urgent representations of Mr. Franks that the question should proceed without delay, the Council adjourned for a few hours to enable Mr. Franks to prepare a written statement.

The Council met pursuant to adjournment.

²⁰ Franks to Acting Colonial Secretary Ball, 28 March 1866, and Ball to Franks, 9 April 1866, CO 62/2. When the Bank of British Columbia refused to permit Franks to overdraw his personal account, he was obliged to draw on his salary due to that date, March 27. Franks then wrote to Ball for the necessary authority, but Birch, the Officer Administering the Government, refused to countenance such behaviour. In his reply, Ball therefore requested Franks to show cause why he should not be suspended from office. Franks' response is appended below, p. 56, as Statement A.

The Treasurer handed in the Statement which is annexed to these proceedings, marked A.

The Auditor General was summoned before the Council and produced the instructions of the Lords Commissioners of the Treasury.

In reply to enquiries put to the Auditor General, he stated that the course taken by the Treasurer was unusual, contrary to instructions, and likely to lead to confusion of Accounts. He was only aware of one or two instances in which it had occurred and then on Public Grounds alone, but not without the previous sanction of the Executive.

Mr. Franks proceeded to explain that he had taken the step in order to meet a payment which he had promised to make on the 27th March and which he found no other means of accomplishing than by drawing Salary for which he had performed duties and considered himself entitled to appropriate under the peculiar circumstances.

Mr. Franks having withdrawn the remaining members of the Council proceeded to discuss the question of the suspension of Mr. Franks from his office.

The Council were unanimously of opinion that the Treasurer had exceeded his powers and authority, and without recommending that Mr. Franks should be suspended from his office, considered the position taken by Mr. Franks in the matter as one calling for a very strong censure from the Executive, and were also of opinion that such censure should appear in the minutes.

The Treasurer is therefore to be informed that the Executive Council approve in every way of the terms of the letter addressed to the Treasurer by the Colonial Secretary and further that in the opinion of the Council the reasons for the irregularity of the transaction given by the Treasurer are far from satisfactory.

At the same time, the circumstances of the short period that Mr. Franks had been in the Public Service, and the belief that the cheque was drawn without previous thought, enable the Council to recommend that the suspension be not proceeded with.

The Council here adjourned.

I see nothing to object to in the minute.

(signed) W. Hamley.

Approved (signed) H. P. P. Crease

Approved (signed) J. W. Trutch

Approved (signed) H. M. Ball

(signed) A. N. Birch

Read and confirmed.

28th April 1866

(signed) H. M. Ball
Clerk & Acting Colonial
Secy.

STATEMENT MADE BY THE TREASURER MARKED "A"

Sir,

In reply to your letter of the 9th Instant regarding a cheque drawn on my own responsibility for the Salary due to me on the 27th Ultimo, I have the honor to make the following Statement.

When that cheque was drawn, it was not my intention to apply for any authority from the Officer Administering the Government.

I consider that under the Crown Officers Salaries Ordinance, taken together with the Annual Schedule, I have ample Authority for paying the Salaries falling under their operation. The letter dated 28th March was drafted on the 29th in consequence of some conversation with Mr. Ker in the first instance and with Mr. Ball in the second instance.—Mr. Ker having as I understood, suggested that as a Matter of form, such authority might be advisable for the issue of Salary in the Middle of a Month—Mr. Ball having as I understood consented so far as he was concerned to furnish it on my application. When I was speaking to Mr. Ball I remember particularly making use of the expression—"It is no use raising ghosts unless we are prepared to lay them"—by which I meant to convey to him the impression then existing in my own mind, that, while I considered there was a want of substance in the difficulty started in my own mind by my conversation with Mr. Ker, it still might be advisable to provide myself with further authority if such could be procured. I believe I stated fully to Mr. Ball that unless he was prepared to give the Authority no application would be made for it, and I should leave the matter on my own responsibility.

In any case that seemed to require the exercise of such responsibility, I should not hesitate to assume it. If for instance an officer were leaving New Westminster in the middle of a month, on leave or on Service I should not fear to give him his Salary (if otherwise authorized) up to the term of his actual Service—Further authority might or might not seem necessary to the Auditor, and if he called for it, I should apply for it,—but I should no more dream of its being refused, if I could show sufficient reason for having assumed the responsibility than I should dream of any other apparently impossible thing.

While the Instructions certainly prescribe as a rule that Salaries shall be paid on the first of each month, or as soon after as may be convenient there is nothing repugnant to them in payments for broken periods—so that in some sense, it may be alleged that payments for broken periods are contemplated—not by the letter of the Treasury Instructions but by the Regulations of the Commrs. of audit.

It must be borne in mind that in drawing my Salary up to the 27th on the 28th I was merely taking at an unusual time that which was as much mine as my coat or any other thing belonging to me.

In the event of my death the Salary would have gone to my legal representatives, & I should not have been obliged to wait to die till the end of the month in order to establish my right to it.

The emergency under which I drew the Salary—and I certainly should not have drawn it under ordinary circumstances—was a very peculiar one.

The House had been in the habit of meeting my overdrafts. On this occasion, *without any notice*, they sent back a cheque for \$500 which I had only \$488.97 to my credit. *I was bound in honor* to pay that money, and I had no other available means of doing so except by drawing some at least of my Salary. The whole sum due from me was \$700 but by drawing one cheque dated 27 March for \$500, and another dated 2nd April for \$200 I had hoped to arrange the matter being obliged to draw some of my Salary. I considered it only right to carry out my earlier engagement and pay the \$700 at once. I profited in no degree, directly or indirectly by the transaction,—but I kept faith with the party to whom I was pledged.

I signed a proper pay sheet—duly entered the matter in the cash book, had it copied into the weekly Statement &c. as would happen with any ordinary payment. There was not the smallest concealment about the matter.

I consider that it was far more important that I should keep my word than that I should leave my Salary undrawn until the ordinary period. I should have done, in another man's case precisely what I have done in my own.

(signed)

Charles W. Franks.

Wednesday, the 25th day of April, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secy., The Attorney General, The Treasurer, The Collector of Customs.

The Chief Commissioner of Lands and Works was absent on special duties.

The minutes of the previous meeting were read over.

The Treasurer having made a request that the confirmation of the minutes might be post-poned until the next meeting, the Council unanimously consented to defer their opinions and the final confirmation until the return of the Chief Commr. of Lands &c. in order that the minutes might be read over in the presence of all the members of the Executive.

His Honor laid before the Council:

A Letter from the Hudson Bay Company respecting an extension of time being allowed for Building the "Marten" on the Shuswap Lake.

The Council were unanimously of opinion that no extension of time should be allowed.

A Letter from the High Sheriff requesting to be allowed to appoint the Chief Constable at Yale temporarily to the office of Deputy Sheriff.

The Council considered it unadvisable to grant the request.

A Letter from the British Columbian Coal Company respecting the purchase of six hundred Acres of Land at Burrards Inlet.

The Council advised that that as no Coal Seam had yet been discovered that the Land in question should be reserved for twelve months longer, and that a grant of the Land could not at present be made.

A Letter from the British Columbian Mill Company respecting a Lease of Timber Land.

The matter was referred to the Chief Commr. of Lands &c. with the view of ascertaining if the grant of the Lease would cause an infringement of any existing rights.

A Letter from the Harbour Master respecting the Hire of Steamers for placing Buoys at the Sand Heads.

The Council advised that H. M. Gunboat "Forward" should be procured for the service.

The subject of the claim of Mr. G. B. Wright to compensation for the surrender of his right to a portion of the Road Tolls at Lillooet was brought before the Council and discussed.

The Council were unanimous in the opinion that as no pecuniary benefit could accrue to Mr. Wright from his agreement with the Govt. being continued until the end of the period specified that there were no grounds for

entertaining a claim for compensation, if he consented to remove the place of collection from Lillooet to Clinton.

The Council here adjourned.

Read & confirmed.

Saturday, 28th April 1866

(signed) H. M. Ball
Clerk & Acting
Colonial Secretary

Saturday, the 28th day of April, 1866

Present: His Honor the Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the Council on 10th April were read over.

The Chief Commr. of Lands &c. expressed a wish to make some remarks on those portions relating to the Treasurer and requested that the Treasurer might be allowed to withdraw.

The Treasurer having left the Council Room, the Chief Commr. of Lands &c. proceeded to comment on some of the terms of the censure conveyed to the Treasurer.

A discussion ensued, and the Council consented to alter the term "strongest" to "very strong", and in lieu of the words "the explanations of the transaction" to substitute the words "the reasons for the irregularity of the transaction".

The Treasurer having rejoined the Council, the minutes as altered, were re-read, and unanimously confirmed by the members of the Council who had to decide on the question.

The minutes of the preceding meeting were read and confirmed.

His Honor laid before the Council a Letter from Mr. G. B. Wright, respecting a claim for compensation in case of the surrender of his right to the $\frac{1}{4}$ th of the Lillooet Road Tolls.

The matter having been discussed it was considered advisable to postpone it for further consideration.

The Council here adjourned.

Read and Confirmed.

Tuesday, 22nd May 1866

(signed) H. M. Ball
Clerk & Acting
Colonial Secretary

Tuesday, the 22nd day of May, 1866

Present: His Honor The Office Administering The Government and The Honorables The Acting Colonial Secretary, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The Attorney General was absent on leave.

The minutes of the previous meeting were read over and confirmed.

His Honor laid before the Council the following letters.

A Letter from the Magistrate at Lillooet respecting the remission of a portion of the rent of the Lillooet Ferry.

The Council advised that the remission should be made, if the proprietors would accept a charter for two years in lieu of the present one.

A letter from the Hudson Bay Company, with extracts, relative to the forfeiture of their Bonds, for the non-completion of the Steamer "Marten."

The Council were of opinion that no decision should be made until after the Steamer was completed, and that if it could then be proved that all due diligence had been used by the Company towards the completion of their agreement, it would not be advisable to escheat the Bonds.

A Report from the Chief Commr. of Lands and Works respecting the claim of Messrs. Smith & Ladner for compensation for keeping open the trail across the Columbia divide during the winter.

The Council were unanimous in opinion that the applicants had no claim for remuneration.

Letters from the Harbour Master applying for an allowance, when employed piloting the mail steamers into Fraser River.

The Council were of opinion that the Harbour Master had no claim for a personal allowance, when employed on this duty, but that a certain sum might be given him as a remuneration in consequence of the service being special and the satisfactory manner in which he had performed it.

A Letter from the Harbour Master respecting the payment by government of an extra man on Board the Light ship during the temporary absence of any of her crew.

The Council considered the crew sufficient to admit of one man at a time receiving leave of Absence, without a substitute being provided.

A Letter from the Post Master General respecting the salary of the clerk at the Post Office.

The Council was of opinion that the increase of salary voted in the Estimates, should commence from the 1st January.

A Letter from the British Columbian Mill Company respecting a Lease of Timber Land.

The Council advised that the plot of Land now applied for should be reserved, until the Company was prepared to mark out the different pieces, to the extent of the amount previously applied for, so that they might be embodied in one Lease.

The Report on the Bridge River Trail by Mr. Dewdney was read.

It was not considered advisable to incur any further expenditure in extending this trail further up the River.

The Council here adjourned.

Read and Confirmed.

Monday 28th May 1866

(signed) H. M. Ball
Clerk & Acting
Colonial Secretary

Monday, the 28th day of May, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting were read over & confirmed.

A Letter was read from Mr. Mortimer Robinson applying for a reserve & Lease of Land on Shuswap Lake for the purpose of prospecting and working a Silver Lead.

The Council advised that a reserve should be made of a portion of the Land till 1st October and a lease granted afterwards of half a mile.

A Letter from the Antler Creek Bed Rock Flume Company was read applying for a remission of their Rent for three years and other concessions.

It was the opinion of the Council that the Company, in order to enable them to hold the ground must pay the arrears of rent, but that the condition of the agreement obliging the Company to lay fifteen hundred feet of Flume this year need not be complied with.

His Honor laid before the Council certain Rules and Regulations for the guidance of Pilots, for adoption.

The Council considered it Advisable that a Pilot Board should be formed at once and that portions of the rules should be published.

The question of the Lease of Mr. Holbrook's water Frontages was discussed.

The Council was of opinion that Mr. Holbrook should be informed through the Attorney General that the terms of the arbitration must be strictly complied with.

The Council here adjourned.

Read and Confirmed.

Tuesday, 19th June 1866

(signed) H. M. Ball
Clerk & Acting
Colonial Secretary

Tuesday, the 19th day of June, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secy., The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting were read over and confirmed.

Mr. Justice Begbie's notes of evidence²¹ on the trial of the Indian "Chilpakin" charged with murder were read over.

The Council considered the nature of the evidence (resting as it did principally on the confession of the prisoner) not sufficient to justify the extreme penalty of Death being carried out.

The Collector of Customs and the Acting Colonial Secretary recommended that the suggestions of Mr. Justice Begbie should be carried out and the sentence commuted to penal servitude as the evidence of the prisoner might be instrumental in convicting the principal aggressor when captured.

The Chief Commr. of Lands &c., The Treasurer and The Attorney General were of opinion that the prisoner had had a fair trial and was very properly convicted, but wishing to carry out the recommendation of Mr. Justice Begbie and to make use of the prisoner's evidence against his comrade in the murder, who appears to be the more guilty party of the two, should advise that he be respited for a period of four months, & if within that period the accomplice should not be captured that the sentence of death should be commuted to penal servitude.

His Honor brought before the Council the question of the forfeiture of the Bonds for the non-completion of the Steamer "Marten" by the Hudson's Bay Company according to agreement.

The Council was of opinion that the Company had used every effort to complete the Boat by the specified time and that as the Public interests had not suffered no penalty should be inflicted.

A Petition from the inhabitants of Yale for the remission of the remainder of the sentence on a Chinaman, convicted of theft, was laid before the Council.

The Council was of opinion, unanimously, that under the circumstances of the case no remission should be granted.

An Application from Constable Sullivan for an allowance for the board of an assistant during his recovery from Wounds received in the service was read.

The Council advised that he should receive one hundred dollars for this purpose.

The Council here adjourned.

Read and confirmed with certain amendments added.

25th June 1866

(signed) H. M. Ball
Clerk & Acting
Colonial Secretary

²¹ These notes are appended to the minutes transmitted to the Colonial Office, CO 62/2.

Monday, the 25th day of June, 1866

Present: His Honor The Officer Administering The Government and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commr. of Lands &c., The Collector of Customs.

The minutes of the preceding meeting were read and after certain amendments were confirmed.

A Letter from Mr. Commeline stating his intention of applying for an Extension of his leave of Absence for six months was read.

The Council saw no objection to its being sanctioned.

The subject of direct Steam communication from San Francisco to New Westminster was discussed.

The Council was opposed to a renewal of the contract on the present terms, but the majority of the members considering it inexpedient to discontinue the direct communication from San Francisco to New Westminster advised that an offer should be made by the Government to the company for the continuance of the same Service at a reduced price.

The Council here adjourned.

Read and confirmed.

Wednesday, 25th July 1866

(signed) H. M. Ball
Clerk & Acting
Colonial Secretary

Wednesday, the 25th day of July, 1866

Present: His Honor Administering the Govt. President and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissr. of Lands & Works, The Collector of Customs.

The minutes of the preceding meeting (June 25th) were read over and confirmed.

His Honor laid before the Council the following letters & reports.

1. A Letter from the Chief Commissioner of Lands & Works respecting the sale of a plot of Land at Boston Bar originally reserved as a Town site.

The Council advised that the original intention should be adhered to, and that it should be laid out as a Town site.

2. A Letter from Mr. Downie offering his services as leader of an exploring party in the neighbourhood of the Rocky Mountains, on the condition that the Government would appropriate a sum of Two thousand dollars (\$2000) towards defraying the expenses of the expedition.

The Council was unanimously of opinion that it would be inexpedient at the present time to entertain Mr. Downie's proposition.

3. The report of Father L. Fouquet of the progress of the Indian Schools in the New Westminster District, and also a memorial praying for an appropriation from the Government funds in aid of the Indian School at St. Mary and New Westminster.

The Council advised that a sum of Two Hundred and Fifty dollars (\$250) should be devoted for the benefit of the Indian children.

4. A Letter from Messrs. Brown and Brough requesting that the opinion of the Attorney General might be given, relative to the legality of a Municipal Tax being levied in the City of New Westminster.

The majority of the members of the Council were of opinion that it would not be advisable to furnish these gentlemen with the opinion of the legal adviser of the Government, but that the Government should take such steps as might be necessary to remedy any flaw which might exist in the Municipal Council Act.

5. A Letter from the Chief Commissioner of Lands & Works respecting the repairs of Cayoosh Bridge near Lillooet.

The Council advised that the present requisite repairs should be made by the Government, but that for the future the Flour Mill Company (who was principally benefited by the Bridge) should be informed that it should be entirely under their charge.

The Council here adjourned.

Read and confirmed.

September 27th 1866

H. M. Ball
Act. Colonial Secretary
and Clerk

Thursday, the 27th day of September, 1866

Present: His Honor Administering the Government, President, and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs.

The Chief Commissioner of Lands & Works was absent on leave.

The minutes of the preceding meeting (July 25th) were read over and confirmed.

His Honor laid before the Council the following letters and proposals.

A Letter from the Manager of the Bank of British North America stating that an ineffectual attempt had been made with the Bank of British Columbia, for the redemption of their notes passing through the hands of the Government without a commission.

The majority of the Council, including the Collector of Customs, The Attorney General, and the Acting Colonial Secretary were of opinion that the notes of the Bank of British North America should be refused in payment of Revenue at the different Collectorates. The Treasurer was of opinion that the notes of Both Banks should be refused, as neither were a legal Tender.

2. A Letter from the Magistrate at Richfield respecting the maintenance of Prisoners placed in Gaol by the Sheriff under civil process.

The Council were of opinion that the responsibility for the keep of such Prisoners did not rest with the Government.

3. A Letter from Captain Stamp respecting the Charter of his Steamer for the carriage of the mails between San Francisco and New Westminster.

The majority of the Council advised that confidential negotiations should be entered into with Captain Stamp with the view of obtaining further information for the future carriage of the mails.

4. A proposal from Captain Mouatt for the clearance of the Channel of the Thompson River of Rocks, between the Shuswap and Kamloops Lakes was read.

The Council considered that this expense should be borne by the Hudson Bay Company (the owners of the Steamer) who had previously surveyed the Channel, but that the Steamer when employed on this service, should not be liable to the forfeiture of her Bonds, for a noncompliance of the Contract.

5. A Letter respecting the erection of a Steam Quartz Test Mill at Cariboo, including an application for Government assistance to the amount of Two Thousand dollars (\$2000).

The majority of the Council were of opinion that it would be advisable to assist the Saw Mill Company to the extent of a Thousand dollars (\$1000) and that the Machinery might pass through the Colony free of Road Tolls.

6. A Memorial from the Hotel Keepers at Clinton praying for a reduction in their Liquor Licenses.

The Council considered that no legal power was vested in them to reduce the Licenses passed by Law in the Legislative Council.

7. His Honor laid before the Council the question, whether it would be advisable to redeem certain Road Bonds, which were due, or endeavour to make terms with the holders to retain them for a short time longer at an advanced rate of Interest.

The Council advised that it would be expedient to enter into negotiations with the holders to retain them for the present.

The Council here adjourned.

Read and confirmed after slight amendments.

October 2nd 1866

H. M. Ball

Act. Col. Secty. & Clerk

Tuesday, the 2nd day of October, 1866

Present: His Honor Administering the Government President and the Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissioner of Lands & Works, The Collector of Customs.

The minutes of the preceding meeting (September 27th) were read over and confirmed.

His Honor laid before the Council an application from the Chairman of the "Cherry Creek Silver Mining Company" for a Lease of Land at Cherry Creek, for the purposes of working a Silver Lead supposed to exist there.

A long discussion ensued thereon and the Council advised that a Lease for 99 years should be granted to the Company, as soon as 35 per cent of the subscribed capital was paid up.

A Royalty was also to be charged which the majority of the Council decided should be two per cent on the net profits.

The Council here adjourned.

Read and confirmed.

Wednesday October 11th 1866

H. M. Ball

Act. Col. Secty. & Clerk

Wednesday, the 11th day of October, 1866

Present: His Honor Administering the Government, President, and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissioner of Lands & Works.

The Collector of Customs was absent through ill-health.

The minutes of the preceding meeting were read over and confirmed.

His Honor laid before the Council a petition from several traders at Yale, requesting the Government to send some arms and ammunition to the Kootenai district, in case of an inroad from the Blackfoot Indians.

The majority of the Council including the Chief Commissioner of Lands & Works, The Attorney General, and the Acting Colonial Secretary were of opinion, that although no hostile attack was to be apprehended, still that some arms and ammunition should be forwarded to the charge of the Magistrate as a matter of precaution.

The Treasurer was opposed to this course, as he was of opinion that, the settlers should defend their own property, and by rendering Government assistance in this instance it would establish a bad precedent.

A letter from the Hudson Bay Company was read claiming a refund of Two Hundred dollars, the value of a Town Lot at Richfield, claimed as mining Ground by the Williams Creek Bed Rock Flume Company.

The matter was referred to the Attorney General for his reconsideration.

A Letter from the Magistrate at Lillooet was read and an enclosure from Mr. Kelly applying for refund of Sixty Five dollars, paid for Land, which had since been claimed by another preemptor.

The Council considered that Mr. Kelly's claim for a refund was substantiated, and advised that the amount should be refunded.

The Council here adjourned.

Monday October 29th 1866

H. M. Ball

Act. Col. Secty. & Clerk.

Monday, the 29th day of October, 1866

Present: His Honor Administering the Government, President, and The Honorables The Acting Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissioner of Lands & Works.

The Collector of Customs was absent through ill-health.

The minutes of the preceding meeting were read over and confirmed.

A letter from the Bishop of British Columbia was read, and an enclosure from the Minister at Yale, applying for a grant of Land for the purpose of erecting a school for the Indians at Yale.

The Council discussed the matter and advised that it should be referred to the Chief Commissioner of Lands & Works for further information.

A letter from the Magistrate at New Westminster respecting an application from some Roman Catholic clergymen to preempt a tract of Land on Harbledown Island was read.

The Council was of opinion that there was no objection to the Land being acquired by the applicants under the terms of the preemption ordinances.

A letter was read from the Queen Charlotte Coal Mining Company applying for an extension of time for selecting and purchasing the 1000 Acres of Land which was to be selected by the 7th Novr. according to the terms of the Lease.

On this subject various opinions were expressed.

The Chief Commissioner of Lands & Works and the Attorney General were of opinion that the Company should be compelled to pay the purchase money by the date specified in the Lease, but that an extension of Time till 1st July 1867 should be given for the selection of the Land the Company wished to purchase.

The Treasurer was of opinion that the Company should be called upon to make some payment for the Land, but that no extension of time should be given for the selection of the 1000 acres, if that extension would prevent other parties from taking up the Land.

The Acting Colonial Secretary was of opinion that an extension of three months should be granted both for the selection and the payment of the Land in question.

An application from an Indian at Kamloops to preempt a piece of Land was read.

The Council were of opinion that the Land might be reserved until it was surveyed by the Government, when it could be conveyed to the Indian at the upset price.

An application from the British Columbia Mill Company for a Timber License was read.

The matter was laid over for further consideration.

An application from Mr. Woolsey for 6 months leave of absence to proceed home on private affairs was read.

The Council was of opinion that the matter should be referred for His Honor's reconsideration.

Before the adjournment of the Council the Treasurer observed that the expressions ascribed to him with reference to the first subject in the preceding minutes did not correctly represent his views and requested to be allowed to make an addenda, which with the consent of the Council is attached to the minutes of this date.

The Council here adjourned.

Monday November 12th 1866

Signed (Arthur N. Birch).

ADDENDA OF THE TREASURER

I intended to say, that as the petition proceeded from persons at a distance, not from those aggrieved, and was not accompanied by any letter or statement from the Magistrate of the District, there did not seem to me at present any sufficient ground for sending up arms to repel—not a hostile attack, but mere depredation, against which the sojourners in the District are bound to take all precautions and steps necessary to defend themselves: and that the course now proposed seemed to me more likely to produce difficulty than to lead to satisfactory result, and might be interpreted as the introduction of a principle opposed (as it seemed to me) to that hitherto recognised—as for instance in the case of the Hudson Bay Company, and in the more recent provisions of the Telegraph Company's Ordinances.

I would further remark upon the great difficulty I feel in giving correct expression at a moment's notice to the opinion I may entertain on matters of principle, where, owing to the manner in which questions are brought before the Council no opportunity is given for the smallest previous consideration.

signed Charles W. Franks
29 Oct. 1866.

Monday, the 12th day of November, 1866

Present: His Excellency Frederick Seymour and The Honourables The Colonial Secretary, The Attorney General, The Treasurer, The Chief Commissioner of Lands & Works, The Collector of Customs.

The minutes of the previous meeting (October 29th) were read & confirmed.

The Governor informed the Council that he had called a meeting of the Executive with a view of consulting as to the best system of meeting the deficit in the Customs Revenue that would occur on the Proclamation of the Union of Vancouver Island and British Columbia. The Governor stated that he had been informed that during the past few months, the amount of goods destined for the markets of the mainland of British Columbia, but landed at the Free port of Victoria was estimated as sufficient to supply the market of the United Colony for the entire season of 1867.

The Collector of Customs was of opinion that under the present peculiar circumstances of these Colonies and the necessity that existed for keeping up the Revenue, the Government might issue an order to the Customs Department, requiring all importers of Goods from Vancouver Island to the mainland of British Columbia to shew a Customs Permit that the Goods landed

had already paid duties, otherwise the Goods would be chargeable with Customs dues under the Customs ordinance 1865. New Westminster for a certain fixed period being declared the chief port of entry, and the Ports of Vancouver Island considered for the time as out-ports.

The Attorney General was of opinion that the arrangement proposed by the Collector of Customs would be illegal, and unconstitutional.

The Treasurer presumed that the Governor would receive distinct instructions from the Secretary of State on this subject, and had not therefore sufficiently considered the matter to give an opinion.

The Chief Commissioner of Lands and Works, while desirous in some form to tax the goods lately arrived in Victoria destined for the British Columbia market, considered the speculation entered into by the merchants of Victoria a legitimate one in which the Government should not interfere.

The Colonial Secretary aware of the absolute necessity existing for a large Revenue to meet the liabilities of the United Colony considered the Government would be justified in attempting the arrangement proposed by the Collector of Customs, and leave the legality a question for the Courts of Law.

Confirmed.

Saturday, 5th January 1867

signed A. N. Birch

Saturday, the 5th day of January, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs.

The minutes of the preceding meeting were read and confirmed.

The Governor laid before the Council two letters from Mr. Franks No. 1 and 2.²²

The Council were unanimously of opinion that Mr. Frank's application for a refund of the amount paid on his policy of Insurance at the Guarantee Office should not be entertained as it was a private arrangement with which the Government had nothing to do. The application in letter No. 2 for refund of passage money and a gratuity of one year's salary on reduction of office was fully considered. The Council were of opinion that in view of the short time Mr. Franks had been in the Colonial Service and the unsatisfactory manner in which he had discharged his duties as Treasurer, the Government would deal liberally in his case by granting the amount of passage money to England and a gratuity of two months' pay from 1st Instant.

The Governor referred to the question of the Government account with the Banks of British North America and British Columbia—The Vancouver Island Government Account having been kept with the Bank of British North America

²² Franks to the Colonial Secretary, both letters dated 18 December 1866, are appended to the minutes for this day transmitted to the Colonial Office, CO 62/2.

while the account of the British Columbia Government had been with the Bank of British Columbia, since the commencement.

The Council advised in view of the large debt with the Bank of British Columbia that the Account with the Bank of British North America be closed and the Government account kept with the Bank of British Columbia only.

The Colonial Secretary was instructed to confer with Mr. Ward with a view of arranging for the payment of the overdrawn Vancouver Island Account with the Bank of British North America and closing the Account with that Bank from the first January instant.

The question of the disposal of the Government Steamer "Sir James Douglas" was referred to. The Council advised that any decision be deferred for the present as the Steamer was paying expenses in the service in which she was now employed.

The Governor brought before the Council the claims of the several Public officers of Vancouver Island whose offices were abolished by the Union of the Colonies, more especially referring to the case of Mr. Watson the late Treasurer of Vancouver Island. The Collector of Customs had a high opinion of Mr. Watson as a financial officer and considered that he would be required in the Treasury Department.

The Attorney General and Chief Commissioner were also of opinion that Mr. Watson's Services should be retained and that the reduction of the office would be no economy.

The Colonial Secretary was of opinion that the light duties connected with the office of Treasurer could at the present time be easily performed by amalgamating the duties with some other office, and in the present necessity for a reduction in the Civil Establishment he did not consider it advisable to make any appointment to that office.

The Council here adjourned.

Read and confirmed.

9th January 1867

(signed) Arthur N. Birch
Colonial Secretary & Clerk
to the Council

Wednesday, the 9th day of January, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works.

Minutes of previous meeting were read and confirmed.

A letter from Mr. Moberly was read in which he applied for compensation on account of the abolition of his office as Assistant Surveyor General and made a proposal to undertake the Keeping in repair the Public roads receiving remuneration for his services by the payment of a per centage on the outlay.

The Council were of opinion that the proposal could not be entertained.

As regards the compensation for loss of office it was advised that the Colonial Secretary be authorised to confer and arrange with Mr. Moberly.

The Governor referred to the state of the Public account of Vancouver Island which had not been Audited for 2 years. The Auditor General in a Minute (read) suggested that he be allowed to undertake the duty of auditing these accounts out of office hours and receive extra payment for the same.

The Council were of opinion that as the accounts were not required for transmission to England and the impossibility of rectifying any errors that might be found when auditing to exist it would be very advisable to obtain sanction to have all accounts prior to the Union as they were found at that time.

The Collector of Customs having advised the employment of a Revenue officer at Burrards Inlet, it was decided that Mr. Hocking should continue to act for the Customs Department at Burrard Inlet at a small fixed salary.

Requisitions from the Customs Department for allowances while absent on duty were brought before Council and approved.

Read a letter (No. 1)²³ from the Chief Commissioner of Lands and Works on the subject of the forfeited Contracts for the construction of the roads from Alexandria towards Cariboo. The question arose whether the unexpended balance of the original contract should be divided among the Creditors of the defaulting Contractors the Creditors being chiefly composed of laborers employed in constructing the road. The Governor advised that the matter be left in the hands of the Colonial Secretary, as having been Officer Administering the Government at the time of the default of the Contractors, and Chief Commissioner to decide with an expression of an opinion on the part of the Governor that it would be unadvisable to apply the balance remaining in liquidation of debt due by the Original Contractors.

Read & confirmed.

16th Jany. 1867

(Sgd.) A. N. Birch

Wednesday, the 16th day of January, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of previous meeting read & confirmed.

A letter from Mr. Pearse, the Assistant Surveyor General, was read in which he suggested the expediency of employing the miners wintering in Victoria on some Public Work.

²³ Trutch to the Colonial Secretary, 8 January 1867, enclosed with the copy of the minutes for this day transmitted to the Colonial Office, CO 62/2.

The Council were of opinion that the state of the Bank Account would not justify any expenditure beyond that absolutely required in Keeping existing Public Works in order and repair.

The application of Mr. Walkem, Member of Council for Cariboo, for the sum of \$300, as travelling expenses in attending the last Session was considered.

The Council advised that as similar payments had been authorised on previous occasions. Mr. Walkem to receive the actual amount of Express fare to & from Cariboo, but that it be distinctly understood that no payments by way of travelling allowances be made to the representative Members of the new Council.

The Colonial Secretary's suggestion to pay salaries of the Public officers quarterly instead of monthly was referred to, but a decision deferred.

The question of the appointment of a Sheriff for the United Colony was referred to by the Governor.

The Attorney General advised that our High Sheriff be appointed by the Governor, the Officer to be remunerated by fees alone and that the responsibility of the appointment of deputies rest entirely with the High Sheriff.

An application from the Bishop of the Diocese preferred through Mr. Good, the Incumbent of Yale was considered.

The Bishop applied for a free grant or lease of certain land in the Town of Yale, for the purpose of erecting a School for the Education of Indian children.

It was advised that a Lease of a portion of ground to be selected by the Magistrate & approved by the Government be granted with a proviso that the school be erected within a year of the date of the Lease.

The Governor referred to the arrangement now in force of Keeping Lunatics in the prisons of Victoria & New Westminster. The Council advised that until more proper accommodation could be provided the Lunatics now detained in the New Westminster Gaol be sent to the Victoria Gaol where a portion of the Gaol might be set apart as a Lunatic Assylum.

The Governor requested the opinion of Council on the subject of allowing foreign Vessels to be employed in the intercolonial trade of the Colony.

The Chief Commissioner considered that no privileges should be extended to foreigners Vessels that were not reciprocal, and that foreign bottoms should be excluded from our intercolonial trade while British vessels were not allowed in the coasting trade of the neighbouring Territory.

The Attorney General would prefer to leave the matter in abeyance but if necessary to decide the question at the approaching session, he coincided with the views expressed by the Chief Commissioner.

Colonial Secretary and Collector of Customs were in favor of giving every facility for increasing traffic & trade and advised that no distinction be made as regards the nationality of vessels trading within the waters of the Colony.

A letter from Mr. Moberly (No. A) was read. The Council advised that the lease be granted with a distinct clause forfeiting the lease at expiration of two years of stipulations laid down in letter from Colonial Secretary of [blank] October have not been complied with.²⁴

The Council advised that Mr. Westgarth, the Government Inspector of Steamers receive £150 per annum, and fees, his permanent appointment to the office having been specially recommended by the Legislative Council.

The Council considered Mr. Westgarth's a special case.

Read & confirmed.

18th Jany. 1867

(Sigd.) A. N. Birch

Friday, the 18th day of January, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of the previous meeting were read and confirmed.

Read a letter from the Manager of the Bank of B. Columbia giving a statement of the Govt. Account at the date of the transfer of the Vancouver Island Account from the Bank of B.N. America to the Bank of British Columbia and applying for the transfer of all accounts as those of Bankruptcy and Supreme Court fees to the Bank of B.C. The Council were of opinion that this application should be complied with and further that the balance of the Crown Lands account should be handed over to the general account on the stipulation that all moneys received on account of Crown Lands should be available at any time notwithstanding the state of the Govt. debt to the Bank.

An application was read from Mr. Wright for the use of the Steam Engine belonging to the Machinery of the Mint to be used in connection with a quartz mill on Catton Creek. The Council were in favor of encouraging the development of quartz mining and on the Estimate of the Chief Comr. it was decided to offer the use of the steam Engine to the Company at a monthly rent of \$40, with a right on behalf of the Company to purchase the same for \$2,000. If purchased the rent paid to be deducted from the purchase money.

An application from the Trustees of the Victoria Hospital for the grant of \$1,000 promised by the Governor when in Victoria, but not drawn prior to the transfer of the Govt. account with Bank of B.N.A. laid before the Council. No payment had been made to the Institution during 1866. The Colonial Secretary was instructed to confer with Mr. Ward of the Bank of B. Columbia in reference to the payment of the amount.

²⁴ Moberly to Colonial Secretary, 15 January 1867, requesting the Government to grant the Cherry Creek Silver Mining Company a lease to attract capital from California, CO 62/2; H. M. Ball to G. Landvoigt, 2 October 1866, British Columbia, Colonial Secretary, Letterbook, Correspondence Outward, September 1864–December 1866, pp. 352-53, PABC.

The Petition from the settlers about Langley for the establishment of a School was referred to the Council. The Council were of opinion that the petition emanated more from the desire of Mr. Kennedy to receive the appointment of teacher than from the settlers themselves. At the same time it was proposed to give the free use of a Public Building at Langley for school purposes, and grant \$1. per month for each child attending the school.

Read letter (No. A)²⁵ from the Mayor of Victoria applying for a loan of \$1,000 to meet certain pressing liabilities.

The Council were ignorant of the position of the affairs of the Corporation and it was decided to defer the answer until Mr. Macdonald had been referred to on the subject.

The Governor laid before the Council a statement handed to him by Lt. Pearse of the Victoria Volunteers shewing that at the close of the present year the Corps would be in debt to the extent of \$5,800.

The Council were of opinion that the expenditure had been excessive that the amount voted by the late Assembly and authorised by Governor Kennedy should be paid over to the Corps.

Read letter (No. B)²⁶ from the Chairman of the Chamber of Commerce of Victoria applying for certain returns connected with the Customs Department with a view of suggesting certain alterations & amendments in the Customs Ordinance 1865.

The Colonial Secretary was instructed to furnish information and promise every assistance.

Read & Confirmed.

19th Jany. 1867

(Sigd.) A. N. Birch

Saturday, the 19th day of January, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of the previous meeting were read and confirmed.

The Governor stated that he had called the Council together to confer with them in reference to the position of the Government as regards Mr. Franks the Governor having been informed that Mr. Franks might take his seat on the opening of the Council as Treasurer although his appointment had virtually been abolished since the 1st January. The Governor informed the Council that he had been desirous to facilitate Mr. Franks departure from the Colony

²⁵ W. I. Macdonald to Seymour, 16 January 1867, Enclosure A to minutes for this day transmitted to the Colonial Office, CO 62/2.

²⁶ Henry Rhodes to the Colonial Secretary, 16 January 1867, Enclosure B to minutes for this day transmitted to the Colonial Office, CO 62/2.

and with this view had at Mr. Franks' request detained the Mail Steamer, and supplied a special Steamer to convey Mr. Franks to Victoria, and had addressed a letter to Mr. Franks acquitting him of all dishonesty in matter brought before the Ex. Council in April 1866.

Mr. Franks had subsequently refused to leave the Colony without the Governor was prepared to give a further letter to the effect that the matter was not one that should have been brought before the Council. The Governor read a copy of the letter which he had addressed to Mr. Franks and the despatch which the Governor had intended to address to the Secy. of State. The draft of a letter (marked A) which it was proposed to address to Mr. Franks was also read.²⁷

The Council were unanimously of opinion that on Public and Private grounds it was very advisable that Mr. Franks should leave the Colony without delay and fully approved of the draft of the letter read to the Council.

Read & Confirmed.

28th Jan. 1867

(Sgd.) A. N. Birch

Monday, the 28th day of January, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of previous meeting read & confirmed.

At the request of the Governor the Commissioner of Lands & Works informed the Council that at an interview he had recently had with Mr. C. W. Franks that gentleman had expressed a desire to be allowed to leave the Colony in the position in which he stood before refusing to accept the Governor's letter in reference to the matter brought before the Executive Council in April 1866, and that on condition of his leaving without delay the letter addressed to him by the Colonial Secretary on the 19th should be withdrawn.

The Council were of opinion that the proceedings of Mr. Franks had fully justified the terms of the Colonial Secretary's letter, but in view of the desirability of the immediate departure of Mr. Franks the Council advised that without withdrawing the letter, The Comr. be authorised to acquaint Mr. Franks that no further steps would be taken against him provided he took his departure by the next steamer.

²⁷ The letter to Franks is not included with the minutes transmitted to the Colonial Office, the minutes in the PABC, nor in the Correspondence Outward of the Colonial Secretary of British Columbia, PABC. For correspondence relating to Franks' case, see Seymour to Carnarvon, 24 February 1867 (No. 35), and his confidential despatch of the same date, CO 60/27, pp. 245-48 and 277-79; Buckingham to Seymour, 3 May 1867, CO 398/5, pp. 5-6; and Birch to Crease, 10 November 1867, Crease Collection, PABC. Franks left the colony for England on 2 February 1867.

Read letters from Captn. Torrens Clerk to the late V.I. Assembly and from Mr. Nesbitt lately Chief Clerk in Colonial Secretary's office in V. Island applying for gratuities on abolition of office.

The Council considered Capt. Torrens' case had already been considered by Governor Kennedy on the dissolution of the V.I. Assembly in August. At the advice of the Governor it was decided to pay each gentleman a gratuity of £100 for passage money out of V.I. Crown Fund.

Read a letter (No. 1)²⁸ from Mr. Franks applying to the Govt. to purchase his furniture and effects.

The Council were of opinion that the application could not be entertained.

Application for a Reserve for the purpose of searching for Coal was read and considered [No. 2].²⁹

The Council advised that the reserve applied for be granted, and if applicants were successful in discovering a seam of Coal a lease to be granted similar to that of the Q.C. Island Co.s Lease.

Mr. Waddington having renewed his application for a charter to construct a Road or Railway by way of Bute Inlet, the matter was considered and it was advised that the terms of the Charter be drawn up by the Comr. of Lands & Works in the shape of a letter and forwarded for the consideration of the Members of Council.

Read & confirmed.

7th Feby. 1867

(Sigd.) A. N. Birch

Thursday, the 7th day of February, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works.

Minutes of previous meeting read and confirmed.

Mr. W. A. G. Young was sworn a member of the Executive Council and took his seat as [Acting] Treasurer.

Read a letter from the Victoria Chamber of Commerce on the subject of the amount of Revenue proposed to be raised by Customs dues. This Council were of opinion that the amount estimated namely \$400,000 was a fair Estimate, considering that the actual amount raised on the mainland in 1865 exceeded \$350,000.

²⁸ Franks to the Colonial Secretary, 19 January 1867, Enclosure No. 1 to minutes for this day transmitted to the Colonial Office, CO 62/2. See also Franks to Colonial Secretary, 8 December 1866, Colonial Secretary to Franks (draft), 4 January 1867, Franks to Colonial Secretary, 14 January 1867, Colonial Secretary, Correspondence Inward, Colonial Correspondence, F604, PABC.

²⁹ T. H. Forster and others to the Colonial Secretary, 25 January 1867, Enclosure No. 2 to minutes for this day transmitted to the Colonial Office, CO 62/2.

The Governor referred to the large arrears of payment due to the California Steam Navigation Co. under the Vancouver Island Mail Contract, the debt to the Company already exceeding \$20,000. The Treasurer stated that at the time the Contract was entered into the Agent of the Company was informed that it was probable that the subsidy would not be paid regularly, and therefore the Company entered into the Contract with this Knowledge. The Council considered that as there were no funds available there was no option but to delay the subject for a time.

Read a letter from Messrs. Starr & Co. proposing a scheme of assisted Emigration from the U. Kingdom to B. Columbia.

The Council were of opinion that in the present financial state of the Colony the subject of Immigration could not be entertained.

The question of a grant of Public Money to the Volunteer Corps was considered. The Council advised that no sum be placed in the Estimates for the present year. The Volunteer force of the mainland having increased in efficiency and strength during the year 1866 without any assistance from Government.

Read letter (marked A)³⁰ from Captain Cooper Harbor Master on the subject of the Coasting trade of the Colony especially as regards the question of allowing Foreign bottoms to trade within the waters of Colony. The Council advised that in the Bill about to be introduced in the Legislative Council a clause should be inserted giving the Governor discretionary power to grant licences to Foreign bottoms.

The Governor brought before the Council the subject of the Pilot laws existing in the two sections of the Colony. The Council advised the repeal of the Vancouver Island law and the extension of the British Columbia law to Vancouver Island.

Read a letter from the Chief Comr. of Land & Works forwarding for favorable consideration an application from Mr. Thos. Spence to be re-imbursed a portion of a sum of \$800 of Government money lost by him in March 1866 when employed as superintendent of Roads. The majority of the Council were of opinion that Mr. Spence should not be re-imbursed any portion of this money.

The Estimates for the year were laid before the Council and gone through with slight alterations. The question of a reduction in the Crown Officers Salaries to meet the present depression was discussed.

The Treasurer and Chief Comr. were of opinion that any reduction should take the form of a general per centage reduction throughout the Civil Service. The Collector of Customs preferred leaving the matter in the hands of the Governor. The Colonial Secretary considered the recommendation of the Treasurer would act harshly upon some officers whose salaries were already barely sufficient to keep them in the necessary of life.

Confirmed.

21 March

A. N. Birch

³⁰ Harbour Master to Governor, 5 February 1867, Enclosure A to minutes for this day transmitted to the Colonial Office, CO 62/2.

Thursday, the 21st day of March, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer [Acting], The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of previous meeting read & confirmed.

Read a letter from Mr. Southgate, the representative of the Harewood Coal & Railway Company, applying for an extension of time to complete the undertaking. The Council advised that the extension asked namely until Jan'y. 1869 be granted. The Attorney General was instructed to prepare a Bill to authorise this extension of time.

The Governor referred to the subject of Mr. Needham (Chief Justice of the late Colony of Vancouver Island) continuing to appropriate a portion of the Fees of Court, and requested the opinion of the Council as to the necessity of an Ordinance to define the emoluments of the Judge of the Supreme Court at Victoria. The Council were of opinion that Mr. Needham was not legally entitled to any portion of the fees and that an Ordinance was not required to regulate their application.

The Auditor General was at present engaged in auditing the Accounts of the Supreme Court of Vancouver Island and the Council advised that the matter should be brought up on the report of the Auditor General.

The Governor said that having somewhat hastily pledged himself in the Address with which he opened the Legislative Council to send down a message respecting the future seat of Government of the United Colony, he asked for the advice of the Executive Council as to the substance of such message.

The Collector of Customs was of opinion that no advantage would accrue from the transfer while much hardship & injustice would be entailed upon the residents and lot owners of the present capital who had sunk their money upon the faith of Proclamations having the force of Law & Imperial instructions fixing N. Westminster as the Capital of B. Columbia.

In this opinion the Attorney General and Colonial Secretary coincided.

The Treasurer was of opinion that agitation would continue to the detriment of the Colony without the Capital was at once removed to Victoria and that the removal in his opinion would lessen the expense of Government.

In this opinion the Chief Commissioner of Lands & Works agreed.

Read & confirmed.

8th April 1867

Monday, the 25th day of March, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Treasurer (Acting), The Chief Commissioner of Lands & Works, The Collector of Customs.

Read letter from the Post Master General respecting the Tenders for the Mail Service of the Interior. The Tenders received under the former Notice were considered too high, and as other offers had been made since the opening of the Tenders the Council advised that a Notice be issued calling for fresh Tenders for the Mail Service.

The Governor brought before the Council several resolutions passed by the Legislature in reference to the new tariff certain resolutions advising a reduction of duty on Dry Goods, Flour & Barley, other resolutions advising a drawback on Wheat on articles consumed in the manufacture of lumber &c.

The Council were of opinion that it would be advisable to give the new tariff a fair trial before any of the suggested alterations were attempted, and that upon the Governors sanction being given to the Customs Ordinance the present system of collecting Customs Dues on Goods from Vancouver Island should cease.

Read letter from Mr. McCreight on the subject of the sale of Real Estate under the Real Estate Tax Act of Vancouver Island. The Council advised that as the subject was one of great importance and difficulty it would be preferable to divide the Bill now before the Legislature passing a Bill simply to repeal the Tax as a Govt. measure leaving the question of title to land under Sheriff's Sales for a second Bill to be left an open question for the decision of the Legislature.

Read and confirmed.

8th April 1867

(Sigd.) A. N. Birch

Monday, the 8th day of April, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, the Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of previous meetings read and confirmed.

The Tenders called for under the fresh advertisement for the Mail Service of the interior were laid before the Council. It was advised that the Contract be awarded to Messrs. Dietz and Nelson.

Read a letter from Mr. Wood the late Acting Attorney General of Vancouver Island and acting Solicitor General of B. Columbia during the session of the Legislature, setting forth his claims on the Government for salary since the Union of Vancouver Island and also for drafting bill for the Legislature.

The majority of the Council advised that Mr. Wood receive salary up to date at the same rate he was entitled to as Attorney General of Vancouver Island, and that the claim for drafting Bills be admitted as Mr. Woods services were no longer required and his appointment was now to be abolished.

The question of the removal of the Assay Department was discussed.

It was decided to leave the matter in abeyance until the superintendent of the Department had furnished an Estimate of the cost of transferring the office to Cariboo.

Read & confirmed.

13th May 1867

(Sgd.) A. N. Birch

Monday, the 13th day of May, 1867

Present: His Excellency The Governor and The Honorables The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works.

Minutes of previous meeting read & confirmed.

The Governor brought before the Council the conduct of Mr. Franklyn, the Magistrate of Nanaimo. It having been of Public notoriety that Mr. Franklyn had been intoxicated when in attendance at the Council Chamber and had used excitable language during the debates. Further that his extreme unpopularity in his Magisterial district was mainly attributable to his conduct in this respect.

The Council were unanimously of opinion that it would be advisable to remove Mr. Franklyn from his present district and recommended that he should be allowed Six months leave of absence rather than dismissal, as there were certain extenuating circumstances to justify the recommendation.

The Governor referred to the resolutions of the Legislative Council recommending a drawback on lumber exported and a Premium on the first Quartz Mill erected.

The Council were unanimous in advising that the recommendations of the Legislative Council could not be entertained.

Read a letter from Mr. Dewdney applying for a Charter to construct a Waggon Road from Richfield to Grouse Creek providing the Government would authorise the collection of certain rates of Tolls for a period of 5 years.

The Council were of opinion that a Charter might with advantage be granted provided that the Govt. trail remain in repair and free for travel and that power be taken to redeem the Charter on payment of a fixed sum.

The Colonial Secretary and Chief Commissioner of Land & Works were instructed to confer with Mr. Dewdney and if he was unwilling to accept the proposed terms it was determined to advertise the offer of a Charter for the construction of the road.

Read & confirmed.

6th July 1867

(Sgd.) Frederick Seymour

Saturday, the 6th day of July, 1867

Present: His Excellency The Governor, The Attorney General, The Surveyor General, The Collector of Customs.

The Minutes of previous Meeting were read and confirmed.

The Governor brought before the Council an application from the Hon. A. N. Birch, Colonial Secretary, for 6 months leave of absence. His Excellency stated that his object in bringing Mr. Birch's application before the Council was not so much to provide him with half Salary during his compulsory absence from the Colony, by command of the Secretary of State, as to leave it open to resume his duties here should he think fit. The Governor further stated that he would request the Secretary of State to give directions that in the event of Mr. Birch's re-entering the Colonial Office his Salary from this Colony should at once cease.

The Governor was advised to grant the leave of absence applied for.

The Governor brought before the Council the question of the great financial embarrassment of the Colony. A somewhat desultory discussion ensued and His Excellency announced his intention of addressing the Secretary of State on the subject.

The Council then adjourned.

Saturday, the 20th day of July, 1867

Present: His Excellency The Governor, The Attorney General, The Surveyor General, The Collector of Customs.

Minutes of previous meeting read and confirmed.

The Governor brought before the Council a Telegram from the Assistant Gold Commissioner at Cariboo, stating that serious disturbances had occurred in Grouse Creek, that the Civil Authorities were for the present powerless, and requesting that a body of Marines might be sent up to his assistance.

The Governor likewise placed before the Council a Telegram from the Canadian Company, who were asserted to be the disturbers of the peace, requesting that they should be heard before any steps were taken, and saying that a Memorial from the miners of Cariboo respecting the present disturbance or difficulty would be sent down by the Express.

The Collector of Customs after a lengthened discussion expressed his opinion that the Governor ought himself to go to Cariboo. The Attorney General and Surveyor General concurred, but the Council came to the conclusion that it was on the whole better to wait for the despatches which the next mail would bring from Chief Justice Begbie, Assistant Gold Commissioner Ball, and the two contending Mining Companies.

The Council then adjourned.

Signed William A. G. Young
27 July 1867

Saturday, the 27th day of July, 1867

Present: His Excellency the Governor, The Acting Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

The Minutes of last Meeting were read and confirmed.

The Governor laid before the Council a Report dated the 19th July 1867, received by the Mail from Mr. Commissioner Ball in respect of the resistance of the law on Grouse Creek by the Canadian Company; also a representation dated the 17th July, from Mr. Booth, on behalf of the Canadian Company; also a letter dated the 16th July from Chief Justice Begbie; likewise other papers connected with the matter.

The whole subject was discussed at length and the following opinions were taken upon the particular action of the Canadian Company in respect of their alleged resistance of the law.

Opinions

The Collector of Customs. That the Canadian Company believe they are rightly possessed of the 12 feet 2 inches of ground which they are working, and that Mr. Ball was wrong in trying to dispossess them after the decision given by himself in Court in the case of the Black Hawke Company.

The Chief Commissioner Lands & Works. That the Canadian Company are acting in determined opposition to the authority of the Law; as represented by the Magistrate in his own person endeavouring to execute a Writ of injunction from his own Court.

Attorney General. Of same opinion, with addition of the words "and organized" after "determined".

Colonial Secretary. That the opposition of the Canadian Company has been more formal than real. There is nothing in the papers under consideration to shew "an organized and determined" opposition to the authority of the Law. The Canadian Company owing to the conflicting decision of the Magistrate viewing themselves as only protecting their own rights lawfully acquired.

The discussion of the whole subject was then continued, and after due deliberation the following written opinions as to the action to be taken were handed in for record.

Opinion of Collector of Customs. On the merits of the question of right between the two Companies, I think it would be useless now to argue,—that cannot be settled here. I have little doubt that if the Governor proceeds to the spot at once, and decides on the case himself as an Arbitrator, with the consent of the contending parties, that the disturbance will subside and the law resume its proper force. It could at the same time be arranged that quietly a party of Marines might be held in readiness for immediate departure should His Excellency by telegraph send word to say that their presence was necessary. They should not, I think, be sent now, nor afterwards, except as a matter of actual extremity. The expense is a serious part of the objection, but it is more serious still to go to war with our Miners who disclaim any intention of violence, and who appeal in writing to the

Governor and the Judge, professing themselves ready to abide by the Judge's decision, if the case can only be heard again. There is something that does not appear in the papers that have been sent to me, but which from private sources I am satisfied is true, and I do not think I should be justified in withholding it from the Governor's knowledge. The Canadian Company it is said have subdivided their shares and portioned them off to individuals on condition of their signing an undertaking to hold the ground at all hazards. This is known, I believe, among miners as "fighting interests", and looks very much like a determination to have their own way on the part of the Canadian Company; but their proceedings in this respect, and their intention in connection with it, may perhaps, have been exaggerated.

Signed W. Hamley

Opinion of the Chief Commissioner Lands and Works. It is very clear that the Canadian Company have in the most palpable and determined manner resisted the authority of the law by refusing obedience to the writ of the Gold Commissioner—by rescuing a prisoner from the hands of the Constables—by persisting in riotous opposition to the writ when served on them a second time by the Magistrate in person,—and by continuing to hold forcible possession of and to work the disputed ground contrary to the injunction of the Gold Commissioner.

We have not now to inquire into the equitable right of the Canadian Company to this ground. It would be impracticable without further information than is now before us to arrive at any absolute decision on this question; and even were it proved that the Writ of injunction was unjust and conflicting with other decrees of the same Court, it was not the less incumbent on the Canadian Company to obey it, and if, as they allege, their recourse under the Gold Mining Law was exhausted, to seek redress by direct appeal to the Governor, instead of by seizing and holding the disputed ground by force in open defiance of law and order.

Under ordinary circumstances I should not hesitate to advise that obedience to the law should be at once enforced preliminary to any inquiry into the equitable rights of the contesting Companies to the disputed ground, but in view of the remoteness of the Cariboo District, and the absence of any force there to support the Magistrate, I consider that such a course although undoubtedly right in the abstract, would be practically inadvisable.

I therefore recommend instead that the Governor repair to the spot to investigate more exactly the causes which have brought about this act of resistance to the administration of the law, and to use every other possible means of securing respect for, and conformity to, the decree of the Gold Commissioner's Court, before having recourse to force, which should be only finally resorted to when proved to be absolutely necessary.

Signed Joseph W. Trutch

Opinion of the Attorney General. Upon the two questions The present position of the Canadian Company? and What action should be taken?

That the persons constituting the so-called Canadian Company are in determined and organized opposition to the execution of a Writ of Injunction issuing out of Mr. Gold Commissioner Ball's "Mining Court", with the advice and assistance of Mr. Justice Begbie.

All men are bound to obey the Writ of a Court of competent jurisdiction such as "The Mining Court". Were it otherwise in every case of a regular Writ improperly issuing out of a competent Court breaches of the peace would continually recur, and (especially in a new Country) with danger of violence.

Obedience to the Writ and order of the Court to cease working should first be enforced, if necessary, by armed force, to vindicate the majesty of the Law.

Enquiry into the merits can take place after obeying the Writ, without injustice or injury to either of the contending parties.

All working on the disputed ground should be stopped, or (if afterwards allowed) a Receiver appointed until the cases for which an appeal was refused can be heard in Appeal under an Act of the Legislature when it meets.

The clause in the "Gold Ordinance 1867" abolishing appeals to the Supreme Court on questions of fact—reluctantly conceded by the Legislative Council at the earnest prayer of the chiefs of the Canadian Company in another capacity after three years agitation—should be repealed or modified.

Before actually sending any force to the spot the sincerity of the Canadian Co.s allegation that they are desirous of obeying the law, if they can get justice, should be clearly and finally tested—by calling upon them again to obey the Writ upon an engagement of the Government to submit the repeal of the non-appeal clause of “The Gold Mining Ordinance 1867” to the Legislature without prejudice to the rights of either of the contending parties in the interim.

Until that be done I cannot but think that it would be inadvisable for The Representative of Her Majesty to appear upon the scene, and upon that information would hang the question of despatching an armed force to uphold the supremacy of the Law.

Signed Henry P. Pellew Crease.

Opinion of the Colonial Secretary. After mature consideration I am of opinion that The Governor should proceed to Cariboo to endeavor to restore order on Grouse Creek by his personal influence and presence in its immediate vicinity.

I cannot divest myself of the feeling that the Canadian Company have been induced to assume their present attitude owing to the decision of the Gold Commissioner that the Black Hawke Company were not Trespassers as against the Flume Company on the very ground from which the Commissioner now seeks to eject the Canadian Company in favor of the Flume Company. From the papers under consideration I cannot understand this seeming contradiction. The Canadian Company on the spot appear equally at a loss to comprehend it, and appeal being denied them, they adopt their present course as the only alternative of preserving what they believe to be justly theirs.

If the professions made by the Canadian Company be genuine, I cannot doubt they will be willing to abide by the result of an Arbitration.

Such arbitration I conceive, from what has already occurred, can only be settled by the Governor himself on the spot.

I believe that such a course will restore tranquillity. If not, I cannot but think there will be found a sufficient number of right minded and loyal men at Cariboo to come forward in vindication of law and order, and in aid of a police force which can be organized on the spot.

I think, during the period of the Governors absence, it would be desirable for its moral effect, that a man of War with extra Marines on board should be brought to New Westminster, but I would deprecate strongly the exhibition or employment of an armed force until every other means of maintaining the authority of the law by the Civil power had failed.

Signed William A. G. Young

The Council then adjourned.

Signed William A. G. Young
29 July 1867

Monday, the 29th day of July, 1867

Present: His Excellency The Governor, The Acting Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

Minutes of last Meeting read and confirmed.

The subject matter of the last Meeting of the Council, viz.: the proceedings at Cariboo in respect of the alleged resistance of the Law by the Canadian Company, was again discussed at length, and more particularly as to the expediency of adopting some measures to restore tranquillity precedent to the

Governors departure for the locality; but the Council after much deliberation came to the conclusion that it would be inexpedient to try any such measures, and that the Governors departure should not be delayed for such purpose.

His Excellency then announced his intention, that he would proceed to Cariboo, though with great reluctance—at the earliest moment practicable.

The Council then adjourned.

Signed William A. G. Young
17th August 1867

Saturday, the 17th day of August, 1867

Present: His Excellency The Governor, The Acting Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

The Minutes of last Meeting were read & confirmed.

The Governor then informed the Council that in accordance with their advice he had proceeded to Cariboo to endeavour by his personal presence and influence to arrange the matters in dispute between the Grouse Creek Bed Rock Flume Company, and the Canadian Company, and to restore tranquillity on Grouse Creek. His Excellency detailed the course he had adopted in respect of indicating the authority of the Law, and stated that the ringleaders amongst those who had resisted the Magistrate had surrendered, and had been tried, convicted, and sentenced. That with respect to the matter in dispute the Canadian Company had placed themselves entirely in his hands, and had offered to submit to the arbitration of any person he might appoint. The Grouse Creek Company, however, relied on Mr. Spaldings decision as final and had refused arbitration. Thus an immediate settlement of the matter on the spot was prevented. Both parties had, however, ceased to work the disputed strip of ground which had been handed over to, and taken possession of by the Government pending further action either by way of arbitration, or, if found unavoidable by Legislative enactment.

A long discussion followed upon the merits of the case between the two contending parties. The Council, however, were of opinion that His Excellency's visit had been productive of much good; and, although it was a matter of regret that the case could not be settled at the time upon the spot, yet in other respects the results obtained by His Excellency could not be regarded as otherwise than satisfactory.

The subject of the small police Force at Cariboo was also discussed, and it was determined that the Magistrates hands should be strengthened by an addition of six Constables, being made to the force.

The Council then adjourned.

Signed William A. G. Young
1 Oct. 1867

Tuesday, the 1st day of October, 1867

Present: His Excellency The Governor, The Acting Colonial Secretary, The Attorney General, The Collector of Customs.

The Minutes of last Meeting were read and confirmed.

The following By laws for the Regulation of Pilots in the Colony of British Columbia in pursuance of the pilotage Ordinance 1867 were considered and passed.

1. Candidates for Pilots' Licenses must apply by letter addressed to the Chairman of the Pilot Board. Due notice of the time and place of examination will appear in the *Government Gazette* as often as the Board may deem necessary. Candidates will be required to prove their local knowledge of the Coasts and Harbours of the places for which they may be desirous of obtaining a license; to possess a correct knowledge of the method of finding a ship's position on the Chart; to have a general knowledge of the tides; and to furnish to the Board satisfactory evidence of their former services and good conduct.

2. No Pilot shall add to, or in any way alter, his license, or make or alter any endorsement thereon, nor shall he be privy to any such license or endorsement being altered.

3. Every Pilot who shall observe any alteration in any of the Sands or Channels, or that any of the Buoys or Beacons in any of the Harbours of the Colony are driven away, or broken down, or out of place, shall forthwith deliver or send a correct statement thereof in writing to the Harbour Master.

4. No Pilot shall exact from any Master of a Vessel more than he is entitled to by any of the Rules, Regulations, Orders or By-Laws passed by the Pilot Board; neither shall any Pilot offer his services for less than the specified rates, under pain of being guilty of a misdemeanor.

5. Every Licensed Pilot shall continually carry with him, in addition to his license, a printed copy of all the By-Laws, Rules, and Orders, relating to Pilots and Pilotage in force for the time being; also of the "Harbour Regulations Ordinance, 1867," and shall produce the same to the Master of any Vessel on boarding such Vessel and being requested so to do by such Master.

6. Every Licensed Pilot shall, when in charge of any Vessel, exercise the utmost diligence and attention in the prosecution of his duty.

7. No Licensed Pilot shall be absent from the Port or Ports for which he may be licensed, without leave of absence previously obtained in writing from the Pilot Board.

8. All cases of dispute between Pilots or between Masters of Vessels and Pilots, shall be referred to the Pilot Board, whose decision shall be final.

9. Every Licensed Pilot who shall offend against any or either of the By-Laws, Rules, Orders, or Regulations relating to Pilots and Pilotage in force for the time being, shall for every such offence (whether the same shall subject him to any pecuniary penalty or not, and in addition to such penalty, if any) upon conviction by the Pilot Board, be liable to have his license annulled and forfeited, or suspended, at the discretion of the Board.

The following Rules and Orders for the Regulation of Pilots and Pilotage were then considered and passed in accordance with the provisions of the Pilotage Ordinance 1867.

1. Vessels employed in the Colonial Coasting Trade, and having taken out a Coasting License, shall be exempt from Pilotage.

2. All Foreign-going Vessels over six feet draught shall pay Pilotage Fees in accordance with the Schedule annexed hereto.

SCHEDULE OF RATES OF PILOTAGE
CHARGEABLE FOR VESSELS ENTERING THE UNDERMENTIONED
PORTS, VIZ:

<i>a.</i>		FROM SEA OR ROYAL BAY,	
To ROYAL BAY (optional)	-----		\$3 per foot.
„ ESQUIMALT HARBOUR	-----		\$3 per foot.
„ VICTORIA	„ -----	{	\$3 per foot, under 10 feet draught. \$4 „ „ for 10 feet and over.
„ NANAIMO	„ {		\$3 per foot for Vessels of less than 10 feet draught. \$4 „ „ 10 feet and upwards.
„ BURRARD INLET	{		\$3 per foot for Vessels of less than 10 feet draught. \$4 „ „ 10 feet and upwards.
„ NEW WESTMINSTER	{		Sailing Vessels under 10 feet draught, \$6 per foot. „ „ 10 feet and upwards, \$7 per foot. „ „ in tow of Steamer, under 10 feet, \$5 per foot. „ „ [in tow of Steamer.] 10 feet and upwards, \$6 per foot. Steamers under 10 feet \$4 per foot. „ 10 feet and upwards \$5 per foot.

b. The Pilot Grounds for the several Ports of the Colony of British Columbia, shall, for the purposes of enforcing these Rules and Orders, be taken to be as hereby defined, viz:

VICTORIA, } 1½ miles outside Macaulay Point, or South end of Trial
ESQUIMALT, } Island bearing E.N.E. (magnetic).

NANAIMO ----- 1 mile Seaward of Entrance Island.

BURRARD INLET { A line from Passage Island to Point Grey, bearing of the
latter being S.E. (magnetic).

FRASER RIVER ----- Outside Light Ship.

c. Any Vessel having discharged portion of her Cargo at Esquimalt, and paid full Pilotage into that Harbour, shall on proceeding thence to any other Port in the Colony for the purpose of discharging the remainder of her Cargo only pay additional Pilotage at the rate of \$1.50 per foot, if proceeding under or with the assistance of Steam.

d. In the event of a Pilot taking the charge of a Vessel proceeding from the Pilot Ground of Victoria or Esquimalt Harbours, or of Royal Bay to that of Nanaimo Harbour, Burrard Inlet, or the Sand-heads of Fraser River, or *vice versa*, he shall receive additional pay at the rate of \$3 per foot for Vessels under Sail, and of \$10 per day for Steamers or Sailing Vessels in tow of a Steamer, while at Sea. Any fraction of a day to be counted as a whole day.

e. The Pilotage for Steam Vessels of other Vessels in tow of a Steamer shall be one-fourth less than the above rates, except for Fraser River and for Vessels proceeding from Esquimalt to other Ports in the Colony, as provided for in Paragraph c.

f. Should the services of a Pilot be called for and accepted outside the limits of the Pilot Ground of Victoria or Esquimalt, and within the radius of the Fisgard Light-House, or within two miles of Race Rocks Light-House, bearing North, he shall receive extra Pilotage at the rate of \$1.50 per foot.

g. Any fraction of a foot, not exceeding six inches, shall be paid for as half a foot; and any fraction of a foot exceeding six inches shall be paid for as a foot.

3. Every Master of any Ship who shall employ as a Pilot any unlicensed person, or any licensed person acting out of the limits for which he is qualified or beyond the extent of his qualification, after any Pilot licensed shall have offered to take charge of such Ship, shall forfeit for every such offence double the amount of the sum which would have been legally demandable for the pilotage.

4. Any person may legally, and without being subject to any penalty, assume or continue in charge of any Ship as a Pilot so long as a Pilot duly licensed shall not have offered to take the charge, or where and so long as such Ship shall be in distress, or under circumstances which shall have rendered it necessary for the Master to avail himself of the best assistance.

5. Any licensed Pilot, within the limits of his license and the extent of his qualification, may supersede in the charge of any Ship any person not licensed or acting beyond the extent of his qualification; and every person continuing in the charge of any Ship without being a licensed Pilot, or without being licensed to act within the limits in which such Ship shall be, or beyond the extent of his qualification, after any Pilot licensed and qualified shall have offered to take charge of such Ship, shall forfeit any sum not exceeding Two Hundred and Fifty Dollars, nor less than One Hundred Dollars.

6. If any person suspended or adjudged to have forfeited his license shall, during the time of suspension or after such adjudication, take upon himself to conduct any Ship as a Pilot, such person shall be liable to all such penalties in like manner as are provided against any person who shall pilot any Ship without having been licensed, (*vide* Paragraph 5).

7. All sums due for the pilotage of any Ship trading to and from any Port in the Colony of British Columbia, shall be recovered in a summary manner before any Stipendiary Magistrate, or two Justices of the Peace, from the Owners, or Master, or from the Consignees or Agents who shall have paid or made themselves liable to pay any other charge for said Ship, in the Port of her arrival, as to pilotage inwards, and in the Port from whence she shall clear out as to pilotage outwards, which sums may be levied in the like manner, according to the amount, as any penalty of the like amount may be levied under "The Pilotage Ordinance, 1867."

8. Any Vessel, not otherwise exempted by these Rules and Orders, or the Schedule hereto, shall pay half rates of full Pilotage inwards to the first duly qualified Pilot who shall hail any such Vessel outside the Pilot ground, or exhibit the Pilot flag at a distance not greater than one mile from such Vessel, in the event of his service not being accepted.

9. Any Vessel, not otherwise exempted by these Rules and Orders, shall pay half rates of full pilotage outwards to the first duly qualified Pilot who shall offer his services to the Master or Commander on board for the time being, in the event of his services not being accepted.

10. No Vessel shall be rendered amenable to half pilotage rates for the Straits navigation by declining the services of a qualified Pilot.

11. All Vessels requiring the services of a Pilot shall hoist the usual signal at the fore; and when outward bound not less than two hours prior to departure.

12. The Pilot Flag shall be the same as established by law in all countries under British jurisdiction, viz.: horizontal white and red, (size at discretion of Pilot Board).

13. Any Vessel driven either by stress of weather or other cause to anchor or seek shelter in any of the Bays or Roadsteads of the Colony shall not be liable to Pilotage.

14. In all cases where a Vessel shall be in tow of a Steam Vessel the Pilot on board the Vessel towed shall have the command and direction of both Vessels so long as the Steamer shall be fast to the other Vessel, notwithstanding a Pilot may be on board the Steamer.

15. It shall be competent for a qualified Pilot in the employ of the Owner of any Vessel to pilot such or any other Vessel belonging to the same Owners; but such qualified Pilot shall not leave any Vessel in which he may be employed, and which may be exempted from pilotage to pilot other Vessels not belonging to the same Owners, to the injury of Pilots who shall be qualified for such services.

16. In all cases where a Government Pilot shall have been established it shall be lawful for the Governor to make and from time to time vary the duties of such Pilots, and the rates at which such Pilots shall be engaged, and of their remuneration, as the Governor shall deem expedient.

The following Rules and Regulations for the government of Pilots and Masters of Inland Steamers plying on Fraser River and other waters of British Columbia

were then considered and passed in pursuance of the provisions of the Pilotage Ordinance 1867.

1. When Steamers are meeting each other the signals for passing shall be one sound made by the steam whistle to keep to the right, and two sounds made by the steam whistle to keep to the left; and these signals shall be observed by all Steamers whether by night or day, or whether in a narrow or wide river; and no such Vessel shall be justified in coming into collision with another, if it shall be proved by evidence that such collision could have been avoided.

2. In all cases of Steamers meeting on the Inland Waters of the Colony, the Pilot of the ascending Boat shall have the right to choose and decide which side to pass, and the descending Boat shall, in accordance with the Rules here laid down, immediately obey the signal given by the ascending Boat.

3. When two Steamers are about to meet each other, it shall be the duty of the Pilot of the ascending Boat to sound his steam whistle once, if he shall wish to keep his Boat to the right; and it shall be the duty of the Pilot of the descending Boat to answer the same promptly by one sound of his steam whistle, and both Boats shall be steered according to such signal; or if the Pilot of the ascending Boat shall wish to pass to the left, he shall sound his steam whistle twice, and it shall be the duty of the descending Boat to answer promptly by two sounds of his steam whistle, and both Boats shall be steered according to such signal; should the Boats in meeting be likely to pass near each other, and should the signals not be made and answered by the time they shall have arrived at a distance of five hundred yards from each other, the engines of both Boats shall be stopped; or should the signal be given and not properly understood from any cause whatever, both Boats shall be backed until their headway shall be fully checked, and the engines shall not be again started ahead until proper signals are made, answered, and thoroughly understood.

4. In all cases where signals are not understood, three sounds of the steam whistle, given in quick succeeding notes, shall be the signal to repeat.

5. When two Boats, the one ascending and the other descending, are about to enter a narrow channel at the same time, the ascending Boat shall be stopped below such channel until the descending Boat shall have passed through; but should two Boats unavoidably meet in such channel, then it shall be the duty of the Pilot of the ascending Boat to make the proper signal, and to lie as close as possible to that side of the channel which he may have selected, until the descending Boat shall have passed clear beyond risk of collision.

6. When a Steamer is ascending, and running close on a bar or shore, the Pilot shall in no case attempt to cross the river when a descending Boat shall be so near that it would be possible for a collision to ensue therefrom.

7. When any Steamer, either ascending or descending, is nearing a short bend or point in the River, when, from any cause, a Steamer approaching

from an opposite direction cannot be seen from a distance of six hundred yards, the Pilot of such Steamer when he shall have arrived within six hundred yards of such bend or point, shall give a signal by one long sound of his steam whistle as a notice to any Steamer that may be approaching; and should there be any Steamer within hearing of such signal, it shall be the duty of the Pilot thereof to answer such signal by one long sound of his steam whistle, when both Boats shall be navigated with proper precautions, as required by Rule Third.

8. In all cases not previously provided for in these Rules, Steamers passing each other, whether steaming in the same or in the opposite directions, shall not approach each other, or pass nearer to each other than one hundred yards.

9. It is specially provided that Steamers shall not pass each other at the undermentioned places on Fraser River at any stage of water, viz.: the Junction of Harrison and Fraser River, the Orchard, the Bend at Maria Ville, (commonly known as Right Angle Bend), Fort Hope Bend, the Sisters, the lower end of Strawberry Island, Emory's Bar, and Saw Mill Riffle, nor at Murderer's Bar at low stage of water.

10. The descending Boat shall have the right of fairway or mid-channel at all times, and it shall be the duty of the Pilot of the ascending Boat to steer his Boat accordingly.

11. Every Boat plying on the Inland Waters of the Colony shall carry one convenient and suitable Boat, and, at the least, four Life Buoys, to be hung up in places readily available in case of their being required.

12. Any person who has filled or shall fill the position of Pilot on any Inland Steamer for not less than six months, or who shall furnish certificates of competency and good conduct to the Pilot Board (specifying his qualifications) from any Master or Owner of such Steamer, shall be entitled to receive a license; any wilful misstatement in any such certificate, shall be deemed and punishable as an infraction of "The Pilotage Ordinance, 1867."

13. Applications for Licenses must be sent in to the Chairman of the Pilot Board.

14. Any person or persons in charge, whether as Master or Owner, of any Inland Steamer wilfully infringing or countenancing any infringement of any of these Rules and Regulations shall, upon conviction, be liable to make good any damage which may occur, either to a Steamer or her Freight, through such infringement, in addition to any Fine that may be imposed upon him under "The Pilotage Ordinance, 1867."

15. Any Pilot in charge of any Inland Steamer, wilfully infringing any of these Rules and Regulations shall, upon conviction, be liable, at the discretionary power of the Magistrate convicting, to be suspended for Twelve Months for the first offence, and for the second offence altogether from ever holding any such position on any Steamer on the Inland Waters of the Colony, in addition to any Fine that may be imposed upon him under "The Pilotage Ordinance, 1867."

16. Three Printed Copies of these Rules and Regulations shall be framed and hung up continuously in conspicuous places, on board every Steamer plying on the Lower Fraser, (viz.: in the Saloon, over the Boiler Deck, and in the Pilot House), at the expense of the Owner of such Steamer.

The Council then adjourned.

Signed William A. G. Young
21st Novr. 1867

Thursday, the 21st day of November, 1867

Present: His Excellency The Governor, The Acting Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

Minutes of last Meeting read & confirmed.

The Governor brought before the Council the case of two Indians, Scotchla, and Carabine alias Kalaheen, sentenced to death for the wilful murder of Francois Caban.

Mr. Justice Begbie was summoned and appeared before the Council. In reply to a question put by The Governor he stated that he was firmly convinced the two men committed the murder.

Mr. Begbie then withdrew.

The Council after deliberate consideration were of opinion that there was no reason why Sentence of Death should not be carried into effect against both prisoners.

The Governor then announced his intention of acting on the advice of the Council, and allowing the law to take its course.

The Governor then laid before the Council Despatch No. 50, of 24 August 1867, from the Secretary of State with copy of a letter from Her Majesty's Postmaster General dated the 12th August 1867, and copy of a Convention between the General Post Office of the United Kingdom, and the General Post Office of the United States of America, signed at London the 18th day of June, 1867. After some discussion the further consideration of this subject was postponed for the present.

A Letter dated the 16th November 1867 from Rear Admiral Hastings upon the subject of the mail Service to Victoria was then read and considered, and it was agreed that any Steam Vessels calling at Esquimalt for delivery or receipt of mails only should not be liable to Port Dues.

The claim of Messrs. Brown & Gillis for compensation for land taken from them at Quesnelmouth was then considered, and their letter of 21st September read. It was determined that the Attorney General should ascertain the exact position of Messrs. Brown and Gillis in respect of their recent Bankruptcy.

The subject of calling for Tenders for the conveyance of Inland Mails was then considered and it was decided that the Advertisement proposed by the Postmaster General in his letter of the 18th November 1867, should be issued, with some slight modifications.

A proposal of Mr. Brew in his letter of 4 November 1867, was then considered, viz.: that authority should be given to him to dispense with the services of some of the five newly appointed Constables, by offering a compensation of \$300 to each Constable. After discussion the Council were unanimous in opinion that the application should be rejected.

The question of continuing the Steam Vessel "Sir James Douglas" in running along the Coast was then discussed, and the letter of Mr. Pearse, dated 7 November 1867, with its accompanying statement of the receipts and disbursements of the Vessel to the 30 June 1867 was considered. It was decided to call for Tenders for the future performance of the Service.

Mr. Alstons claim for drawing Indictments and conducting trials at the late Assizes at Victoria, amounting to the sum of \$275 was then placed before the Council.³¹ It was decided that Mr. Alston should be paid the ordinary fees.

A claim from Mr. F. J. Barnard for \$692.50 for passage of Mr. Justice Needham to and from Cariboo was then taken up. The Council considered it should be paid. This claim was \$160. in excess of the ordinary fare, caused by additional accommodation afforded to Mr. Needham.³²

The case of Mr. Franklyn at Nanaimo was taken into consideration with reference to his removal from or retention in the Government Service. Letter of Colonial Secretary to Mr. Franklyn dated 21st May 1867, and Mr. Franklyn's letter to Colonial Secretary dated 25th September 1867, read & considered, together with other papers bearing upon the subject. Discussion thereupon ensued. Decision deferred until after the general financial state of the Colony had been considered.

A Statement from the Auditor representing that Mr. Elliott at the time of giving up charge of the Lillooet Collectorate was indebted to Government in the sum of \$1355.00 was then laid before the Council.

Decided that Mr. Elliott should be called upon to explain how this deficiency arose, and, if correct, to pay the amount forthwith into the Treasury.

The Council then adjourned until noon tomorrow, Friday, the 22nd day of November Instant.

Signed William A. G. Young
22 Nov. 1867.

³¹ The following was added later to the Executive Council Minutes, PABC, but was subsequently stricken: "Discussion thereupon as to the propriety of the employment of Mr. Alston a local law prohibiting him from practicing in the Courts of V. Island while holding the appointment of Registrar General of Titles. The Attorney General advised that under the Act of Union this portion of the law no longer applied."

³² This last sentence is included in the margin of the Executive Council Minutes, PABC.

Friday, the 22nd day of November, 1867

Present: His Excellency The Governor, The Acting Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

The minutes of last meeting were read, amended and confirmed.

The propriety of making further contributions to the New Westminster and Victoria Hospitals to aid them in paying off past liabilities was taken up.

Thereupon a general discussion ensued as to the financial condition of the Colony, and it was resolved that no further payments could be authorized until after the Estimates for the ensuing year had been considered.

The Council then adjourned.

Signed William A. G. Young
26 Nov. 1867.

Tuesday, the 26th day of November, 1867

Present: His Excellency the Governor, The Acting Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

The minutes of last meeting were read and confirmed.

The Governor brought before the Council the question as to whether the Department of the Assay Office should be retained or abolished. The matter was discussed at length, and the Council were of opinion that in view of the financial condition of the Colony, and the necessity which existed for retrenchment wherever practicable, there was no option but to close this Department. The Governor concurred in this opinion.

The Council then adjourned.

Signed William A. G. Young
6 Jan. 1868

Monday, the 6th day of January, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Comr. Lands & Works, The Collector of Customs.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council and caused to be read a Letter dated the 27th December 1867, from James Cooper, Harbor Master, and Chairman of the pilot Board, enclosing a Resolution suggesting a rate of Pilotage where Government pilots are employed, in which rates the Council concurred.

The Tenders for Mail Service from New Westminster to Cariboo were then considered and a Letter from the Postmaster General dated 31 December 1867 was read. It was agreed that the matter should be postponed until after Estimates had been considered.

A letter was then read dated the 28 December 1867, from Captain Edward Stamp, on behalf of the B. Columbia Spar, Lumber, and Saw Mill Company, complaining of the withdrawal of the permission which he alleges was accorded to him to cut Timber on the Reserves on Burrard Inlet. The matter was discussed at length, and the Notice which had been published in the Government Gazette rescinding any favor which might have been granted was adverted to. The Governor was advised to leave the matter in the hands of the Surveyor General to settle.

A Letter dated 30 Dec. 1867 from H. V. Edmonds, Secretary of the Howe Sound Copper Company was then read, relative to the terms upon which the Company could obtain a Lease of the Minerals from the Government. It was decided that the Chief Commissioner, Lands and Works, should put himself in communication with the Company to ascertain exactly what terms they desired.

The Council then adjourned.

Signed William A. G. Young

Wednesday, the 15th day of January, 1868

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council the undermentioned Tenders for Supplies and Services during the Year 1868.

1. *For Supplies to Gaol at Victoria.*

The Tender of Messrs. Fell & Co. to be accepted for Groceries; that of Wilson for Bread; Harris for Meat; and Mr. McDowell for Water; provided they be found in all respects satisfactory as to quality, &c.

2. *For Supplies to Lighthouses.*

The Tender of Thomas Harris to be accepted.

3. *For conveyance of Mails to Comox &c.*

The only two offers made, that of J. R. Stewart, for the "Emma", and James Frain for the "Emily Harris", were both considered unsuitable, the Vessels not being capable of performing the Service. It was, therefore, decided to reject both.

In the consideration of these last mentioned Tenders, a discussion arose as to the necessity of keeping up a subsidized communication along the Coast at all, and as to the expediency of retaining the Government Steam Vessel "Sir James Douglas" to perform the Work. The Council were unanimously of

opinion, and the Governor concurred, that in the present condition of the Settlements on the Coast, and the absence of Roads or other means of communication, it was undoubtedly expedient and necessary to maintain a regular communication by Steam Vessel, and that if within the financial ability of the Colony the "Sir James Douglas" should continue to be employed in the service.

The Governor laid before the Council certain papers connected with claims for rent for Government Buildings at New Westminster occupied by Government officers and others. The matter was shortly discussed, and it was agreed that its further consideration should be deferred.

A Letter, dated the 9th January 1868 from Mr. Westgarth, was then read, proposing to continue his services as Inspector of Boilers, if he be paid the sum \$750, for the year 1868, in addition to his fees and expenses, or in the alternative asking for compensation for loss of office. The consideration of this matter was deferred until Estimates and other financial matters should be disposed of.

A Letter from the Secretary to the Howe Sound Copper Mining Company was then read, stating the terms upon which the Company desired to hold the land at White Cliff. It was considered that the terms were wholly inadmissible, yet that the Co. might have the land on lease for a reasonable term of years upon almost nominal rent &c.; but that conditions for efficient working were essential, and must be insisted on.

The Council then adjourned.

Signed William A. G. Young

Thursday, the 5th day of March, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commr. Lands & Works, The Collector of Customs.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council and Caused to be read additional Instructions under the Royal Sign Manual & Signet, and dated the 12th day of December 1867, reconstituting and enlarging the members of the Executive Council in the Colony.³³

A Requisition dated 6th February 1868, was read from the Postmaster General for a Supply of Postage Stamps of the denominations of one Dollar, Fifty Cents, Seventy five Cents, and Twenty five cents. It was agreed that they should be procured, provided no extra-ordinary expense was incurred thereby.

A claim for extra pay for the Crew of the Gun Boat Forward, was then considered, and a Letter from Admiral Hastings dated the 5th February 1868 read. The Council were of opinion that it should be paid.

Mr. Henry Maynard Ball, as police Magistrate at New Westminster, was then admitted and sworn in a Member of the Executive Council of the Colony.

³³ The Order in Council is enclosed in Buckingham to Seymour, 16 December 1867, Separate, CO 398/5, p. 86. For the additional instructions see CO 381/18, pp. 145-51.

The Governor then brought before the Council the question of the expediency of calling the Legislative Council together in the present uncertain state of matters regarding the condition of the Colony.

The Council divided.

For: 3.

Colonial Secretary.
Chief Comr. Lands & Works
Collector of Customs

Against: 2.

Attorney General
Police Magistrate at New
Westminster

The Council then adjourned.

Signed William A. G. Young

Friday, the 6th day of March, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commr. Lands & Works, The Collector of Customs, The police Magistrate New Westminster.

The Minutes of last Meeting were read & confirmed.

A Letter from Mr. A. Elliot, dated the 15th February 1868, was read, enclosing Bills of Costs in case of J. D. Pemberton v. A. C. Elliott, amounting to \$198.44. The matter was considered, and as Mr. Elliott had incurred this liability in the collection of Taxes for the Government, the Council considered the Bill should be paid.

A Letter dated the 12th Feby. 1868, from Mr. J. Graham, in charge of the Treasury was read, representing that the Books of the Department could not be closed until the Debtor balance on the Lilloett Collectorate Accounts, while in charge of Mr. Elliott had been adjusted. After discussion it was decided that Mr. Elliotts attention should be called to previous correspondence, and he should be required to state when the amount would be refunded.

The matter of mail communication to Cariboo was then considered, and the offers of Messrs. Dietz and Nelson, as contained in their Tender dated the 31st December 1867, discussed. An offer from Messrs. Donelly and Poole dated 17th January 1868 was also considered. It was agreed that Messrs. Dietz and Nelson should be offered a Contract for 3 years, at a rate per annum not exceeding \$17,000.

A Letter dated the 8th Feby. 1868 from Mr. Charles Grainger was then read making certain proposals in respect of conveying Mails between Victoria and Olympia. It was decided that it should be referred for remarks of Postmaster General.

A Letter dated 17 February 1868 from Mr. W. C. Ward, Manager of the Bank of B. Columbia in reference to increase of Interest on Government overdraft was then read. It was agreed that Mr. Ward should be informed that the Government would not acknowledge or admit the increased liability.

The Council then adjourned.

Signed William A. G. Young

Tuesday, the 17th day of March, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council and caused to be read a Despatch from the Secretary of State No. 1 of 10 January 1868, calling for a report from the Governor upon the Williams Creek Bed Rock Flume Company Ordinance. The matter was discussed, and the Council advised the Governor to recommend the allowance of the Ordinance.

The Council then adjourned.

Signed William A. G. Young

Saturday, the 4th day of April, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last meeting were read and confirmed.

The Governor brought before the Council the cases of the undermentioned Indians Convicted of Wilful murder and sentenced to Death.

Sulchalum

Sul-a-han

Sul-i-can

The notes of Chief Justice Needham taken at the trial of the prisoners were read to the Council. Chief Justice Needham was introduced to the Council, and in reply to questions expressed his opinion that the extreme sentence of the law should not be carried out against any one of the prisoners. In the first case for the reason that the crime might have been committed partly in self defence, and in the two latter cases for the reason that although it was a deliberate and cold blooded murder, yet that the perpetrators might have considered themselves justified in committing it according to custom and tradition.

Mr. Needham then retired.

The Council deliberated, and came to the opinion that the Sentence on Sulchalum should be commuted to penal Servitude, Mr. Ball dissenting, and Mr. Trutch, on recommendation of Chief Justice only.

The Council then took into consideration the case of Sul-a-han, and Sul-i-can, and each member expressed his opinion as follows.

Mr. Ball, That both should be hanged.

Mr. Hamley, That Sentence should be commuted.

Mr. Trutch, That both should be hanged.

Mr. Crease, That both should be hanged notwithstanding the reasons of the Judge, which he views as insufficient & founded in inadequate authority.

Mr. Young, that Sentence should be commuted for the reason, that the crime was committed in accordance with Indian Customs, and following out their rude notion of justice.

The Governor stated that he is of opinion that he will carry out the Capital punishment in the case of the two latter.

The Council then adjourned.

Signed William A. G. Young

Monday, the 20th day of April, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Comr. Lands & Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council the Estimates of Revenue and Expenditure for the Colony for the year 1868.

The same were fully considered.

The Council then adjourned.

Signed William A. G. Young

Saturday, the 9th day of May, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Comr. Lands & Works, The Collector of Customs, The Police Magistrate New Westminster.

The Minutes of last meeting were read and confirmed.

The Governor laid before the Council and caused to be read a letter dated the 19th March 1868, from Mr. A. C. Elliott, High Sheriff of British Columbia, representing the insufficiency of the emoluments of his Office. It was decided that further inquiry as to amount of Fees should be made.

A letter was then read dated the 19th March 1868 from the Chief Comr. Lands & Works representing his inability to obtain from Messrs. Moody & Co. the execution of the Lease of Water frontages in New Westminster, Lots 9, 10, & 11. It was decided that the Chief Commissioner should carry out the terms of the Agreement under which they became possessed of the property.

A Letter dated the 23 March 1868 was read from the Chairman of the Grouse Creek Bed Rock Flume Company, asking, in consideration of the losses they had sustained for an extension of their privileges, and for a remission of the

requirement to construct the remaining portion of the Flume. The letter was referred to Mr. Brew, Gold Commissioner at Cariboo for opinion and report.

A Letter was then read dated 28 March 1868, from the Mayor of Victoria, asking for further powers of taxation for the Municipal Council of the City. The subject was discussed and its consideration was deferred until the next Session of the Legislature.

A proposition from the Hudsons Bay Company to open a trail through the Eagle pass for the sum of \$2500 was then discussed. It was considered desirable that Tenders should be called for according to the suggestions of the Surveyor General.

A recommendation of the Legislative Council that Flour manufactured from grain grown in the Colony should be allowed to pass over the roads free of toll was taken into consideration. It was decided that the remission could not be legally granted.

A recommendation of the Legislative Council dated 16 April 1868 that the petition of the Farmers of Saanich relative to the improvement of the Road to that District should be favorably considered was then taken up, and it was determined that further inquiry should be made in respect of the same.

An application from Mr. Alexr. Calder, dated 30 April requesting that Debentures to the amount of \$4000 might be issued to him, in security for money already advanced on temporary loan to the Government. It was settled that the request could not be granted.

The Council then adjourned.

Signed William A. G. Young

Tuesday, the 12th day of May, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Comr. Lands & Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council a Report of a Select Committee of the Legislative Council upon the external postal arrangements of the Colony.³⁴ It was decided that the Colonial Secretary should institute certain further inquiries in respect of this matter.

A Resolution of the Legislative Council dated the 23rd April 1868 was then read, recommending that the subject of drawbacks on Lumber should receive the

³⁴ This report is included in the minutes of the Legislative Council, 1 May 1868.

earnest attention of the Government. The matter was carefully considered, and after discussion it was resolved that the decision of the Council last year should be adhered to, and premiums of the character sought could not be granted.

The Governor placed before the Council a Resolution of the Legislative Council dated 3rd April 1868, with a petition addressed to that Body by the Howe Sound Copper Mining Company. The recommendation of the Legislative Council was duly considered, & it was decided that a Bill to regulate the acquisition of mineral lands should be prepared, and introduced at the next Session of the Legislature. If such a Bill became law, the Company would be able to record under its provisions: in the meantime the Government would hold in reserve in favor of the Company the particular section of land sought to be acquired by the Company.

A Resolution of the Legislative Council dated the 15th April 1868 recommending the extension to New Westminster District of the Vancouver Island Road Act was then considered.

The Council were of opinion that a decision should be deferred until the working of the Act in question was better known.

The Council then adjourned.

Signed William A. G. Young

Friday, the 15th day of May, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commr. Lands & Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last Meeting were read and confirmed.

The Governor then brought before the Council the question of how far the contemplated removal of the Capital and Seat of Government from New Westminster to Victoria would affect the various public offices now established at New Westminster. The matter was discussed and it was decided that the Colonial Secretary's Office, the Attorney General's Office, the Treasury, the Audit Office, and the Lands and Works Department should be moved to Victoria as soon as convenient.

The Council then adjourned.³⁵

Signed William A. G. Young

³⁵ This was the last time the Executive Council met in New Westminster. Hereafter it convened in Victoria.

Wednesday, the 3rd day of June, 1868

Present: His Excellency The Governor, the Colonial Secretary, The Attorney General.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council a letter dated the 20th May from Messrs. Marvin and Wright asking for certain privileges to aid them in carrying out a project for putting a Steamer on the Upper Fraser to run down as far as Canoe Creek. The application was considered, and it was decided that a remission of Road Tolls and Duties should be granted on the machinery, and upon matériel used in her construction. That a remission of Licence as on Inland Steamer should be granted for 12 months. Decision on other points postponed.

An application dated the 19th May from J. H. Scott for a remission of Road Tolls on removing certain Machinery from Lilloett to Clinton was then considered; and also a similar application dated 18th May from J. C. Beedy, for remission in introducing certain machinery for J. H. Scott, and W. A. Meecham.

The remissions sought were granted in both cases.

The Council then adjourned.

Signed William A. G. Young

Monday, the 22nd day of June, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Comr. Lands & Works, The Collector of Customs.

The minutes of last meeting were read & confirmed.

The Governor brought before the Council the case of two Indians, Chilpaken & Tesch, condemned to death at Lilloett for the murder of a Chinaman. The case was considered and the Judges notes discussed. It was determined by the Governor after hearing the opinions of the members of the Council that the sentence of Death should be commuted; in the case of Chilpaken to 7 years, and in the case of Tesch, alias Charley, to 4 years, imprisonment with hard labor.

An application dated the 1st May 1868, from Mr. John R. Adams for land and the site of a Mill at Soda Creek was then considered. After discussion it was decided that the land required by Mr. Adams, being the site of an Indian Reserve, could not be granted to him. Inquiries as to the position of the Mill Site were to be made.

A Letter dated the 20th May 1868 from the Municipal Council of New Westminster applying for \$750 a year for 2 years for keeping Front Street in repair was then considered. It was decided that \$750 should be paid for one year, and that a Return of work done should be called for, for the current year.

An application dated 28th May 1868 from the Widow of the late J. Brown, a Sapper discharged in the Colony, for a grant of the land to which her Husband was entitled, was then laid before the Council. The Governor was advised to make the grant.

The Governor then laid before the Council letters dated respectively 3 June, 8 June, & 9 June, from Messrs. Collins & Co. applying for a remission of Duty and Road Tolls on the machinery for a Grist Mill, which they are about to erect on Deep Creek. The application was considered, and it was decided that the Road Tolls should be remitted, but not the Duties.

The Council then adjourned.

Signed William A. G. Young.

Monday, the 29th day of June, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Comr. Lands & Works, The Collector of Customs.

The minutes of last meeting were read and confirmed.

The Governor laid before the Council a letter dated the 25th June 1868 from Mr. A. F. Pemberton, Stipendiary Magistrate at Victoria, reporting the result of his inquiries and observations in respect of any contemplated Fenian movement against this Colony. The matter was discussed at length, and the Council advised the Governor to apply to the Admiral to have the Gun Boat Forward stationed in Victoria Harbour, and for a Guard to be placed at Government House.

The Governor stated that he would communicate with the Admiral on the subject.

The Governor brought to the notice of the Council the matter of the reported murders by Indians, and Indian disturbances on the Coast; and asked the opinion of the Council as to what action they considered should be taken in respect thereof. Various papers on the subject were laid before the Council.

After discussion, the Collector of Customs and the Attorney General came to the opinion that further information should be obtained before any Ship of War proceeded to the Coast. The Chief Commissioner, Lands and Works, and the Colonial Secretary that a Ship of War should be at once despatched for the purpose of investigation, and ascertaining the true state of the case.

The Governor stated that he should take further time before determining his course of action.

An application was then considered from Mr. A. Calder, asking for some allowance to reimburse his extra outlay in removing from New Westminster to Victoria.

The Council considered that some further statement of details should be called for.

The Council then adjourned.

Signed William A. G. Young

Monday, the 27th day of July, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

The Minutes of last Meeting were read & confirmed.

The Governor stated, with reference to the consultation at the last Meeting of the Council relative to a Ship of War visiting the North West Coast in consequence of Indian Murders and disturbances, that although the "Sparrowhawk" had gone North with his consent and approval, yet he had made no formal application to the Admiral for her services, and had given no instructions for the guidance of her Commander.

Certain Resolutions passed by the Legislative Council in Committee of Supply were then considered.

The following were agreed to and allowed.

Increase of Salary to \$2000 to Postmaster at Victoria.

Clerk to Attorney General at \$1000 per Annum.

\$250 for rent of Magistrates Residence at Nanaimo.

The appropriation of a sufficient sum to construct a Trail between Williams and Mosquito Creeks.

The other recommendations were left open for further consideration as circumstances might require.

A letter from Mr. O'Reilly dated Yale the 19th June 1868 was then read, wherein he recommends that the Indian Reserves in the neighbourhood of Nicola Lake should be surveyed and defined at an early day in order to avoid trouble hereafter. The Chief Commissioner Lands and Works, concurred in this recommendation, and further suggested that the Reserves at the Buonaparte River, and on the lower Fraser, should also be surveyed. The matter was discussed, and it was agreed that these recommendations should be adopted, and should be carried out by the Surveyor General at the least possible cost.

A Letter from Mr. High Sheriff Elliott dated the 8th July 1868, in reply to inquiries addressed to him relative to the amount of his Fees & Emoluments, was then taken up and considered. It appeared that during the year 1867, the rate of Mr. Elliotts emoluments of office had been less than \$2425, the estimated value of the office. After discussion it was the opinion of the Council that the value of Mr. Elliotts office from 1868, should be made up to \$2425.

A letter from Mr. Pemberton, dated 6th July 1868 was then read & considered, in which he recommends the passing of some law under which Desertion from Her Majesty's Ships of War might be somewhat restrained. The Council were of opinion that the existing law, if carried out, was sufficiently comprehensive and stringent.

A further letter of Mr. Pemberton dated 23rd July 1868, forwarding a remonstrance from Jurors employed on a Fire Inquest against wholly gratuitous service, was then taken up & considered. The Council were of opinion that

no action should be taken in the matter by the Executive Government. The point was not overlooked when the Act was passed by the Legislative Council, but that body were then averse to any such remuneration.

Repairs of Wardens quarters in Gaol at New Westminster. The Governor brought this matter before the Council, and it was considered that a small sum should be expended, in doing what was really necessary to make the quarters wind tight and water tight.

An application dated the 25th June 1868, from the Lilloett Flour Mill Co., for remission of tolls on Flour passing through Clinton was then considered. The Council were of opinion that the application could not be granted without an alteration in the law.

An application dated the 26th June 1868, from certain Merchants praying for a drawback on certain Goods sold after duty had been paid, was then laid before the Council. The Council had doubts of the practicability of the scheme, but it was determined that it should be well considered before the next Session, and the Applicants were to be so informed.

An application dated 7th July 1868, from Mr. T. L. Stahlschmidt, for a drawback upon Biscuit exported was then considered. The Council were of opinion that no such Drawback could be granted without an alteration in the existing law.

Mr. Calders application dated 30th June 1868, for some personal allowance consequent upon extra expenses in moving from New Westminster to Victoria was then taken into consideration. The Council were of opinion that personal allowance at the usual rates for 10 days should be granted in this and similar cases.

Mr. Brew's request dated the 8th June 1868 for authority to expend \$2000 in getting a good trail constructed between Williams and Mosquito Creeks was considered and discussed. The Council were of the opinion that such a sum should be appropriated to the purpose.

The Council then adjourned.

Signed William A. G. Young
4 August 1868.

Tuesday, the 4th day of August, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands and Works, The Collector of Customs, The Police Magistrate, New Westminster.

The Minutes of last Meeting were read and confirmed.

The Governor laid before the Council a communication dated 23 July 1868, from Messrs. Barnard and Nelson, a Deputation appointed by the Directors of the Cherry Creek Silver Mining Company, representing that under the existing

Lease the Company cannot obtain Capital from abroad to work the mine as they anticipated, and requesting modification of certain of its conditions.

The subject was discussed at length, but no decision was arrived at, it being agreed that the matter should be again brought up when the Report of the Board of Officers appointed to suggest the conditions of a general Mineral Law should be received.

The Governor then laid before the Council two Minutes of the Chief Commr. Lands and Works, dated respectively the 26th May and 24th July 1868, making various suggestions for the purpose of providing the requisite Office room for the Lands and Works Department. The suggestions were considered, and the Council were of opinion that the recommendation contained in the minute of the 26th May, for an addition being made to the present Land Office should be carried out.

The Council then adjourned.

Signed William A. G. Young
8th August 1868

Saturday, the 8th day of August, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands and Works, The Collector of Customs.

The Minutes of last Meeting were read and confirmed.

The Governor laid before the Council a Circular Despatch from the Secretary of State dated the 15th June 1868, requesting an opinion upon the expediency of adopting within the Colony the principles of a Bill recently introduced at home for the carrying out of Capital punishments within prison Walls. The Council were of opinion that the circumstances of the Colony were such as would not admit of the adoption of the principles of the Bill.

The Governor then laid before the Council, an Extract from a letter from the Registrar-General to the Under Secretary of State for the Colonies, dated 31st March 1868, upon the subject of the Registration of Births, Deaths, and Marriages. The Council discussed the subject, and alluded to the fact that although Bills for this purpose had upon many occasions been introduced into the Legislature, yet they had never been carried through all their stages, it being generally considered that Legislation on the subject was premature, and the Council were of opinion that the circumstances of the Colony were still such that it would be more desirable to defer legislation.

The Governor brought before the Council the subject of the disputes concerning the Timber cutting in the Burrard Inlet Reserves. A long discussion ensued, but no determination was arrived at.

The Council then adjourned.

Signed William A. G. Young
18th August 1868.

Tuesday, the 18th day of August, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commr. Lands & Works, The Collector of Customs.

The Minutes of last Meeting were read and confirmed.

The Governor laid before the Council and caused to be read a letter from Captain Stamp, dated the 5th August 1868, forwarding a Memorial to the Governor from Mr. C. W. Fitzwilliam, Chairman of the British Columbia and Vancouver Island Spar, Lumber, and Saw Mill Company (Limited) asking for a drawback of Half a Dollar per 1000 Feet upon all Lumber exported from the Colony. The Council after deliberation came to the conclusion that there was no reason to depart from their original decision against the drawback being granted.

The Council then adjourned.

Signed William A. G. Young
16 November 1868.

Monday, the 16th day of November, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Chief Commissioner Lands & Works, The Collector of Customs.

The Minutes of last Meeting were read and confirmed.

The Governor laid before the Council for their consideration and advice the following papers and Documents.

1. Letter from Mr. Brew, Magistrate at Cariboo, with a petition from Residents at Richfield, and also a petition from residents at Barkerville, praying that the Assaying Office may be established at Williams Creek, Cariboo.

After consideration it was decided that information as to expense of removal &c. should be obtained from the Superintendent of the Assay Department.

2. A Memorial dated the 13th Novr. 1868, from various Creditors of the Royal Columbia Hospital at New Westminster, praying for further grants from Government in aid of the Hospital. It was decided that Returns exhibiting the expenses of, and number of patients treated in each of the Hospitals in the Colony should be called for.

3. A Letter from Mr. Cox, late Magistrate in the Columbia District, dated Oct. 6th 1868, and other correspondence, relative to the payment of his Salary for the Months of June and July. The Council were of opinion that as Mr. Cox's Office was abolished on the 31st May 1868, and as he had been offered and had accepted 6 months Salary in compensation for its loss, that Salary for June and July should not be paid, and that therefore the decision already conveyed by the Governor should be adhered to.

4. A letter from Mr. W. H. Franklyn, late Magistrate at Nanaimo, dated the 12th November 1868, representing his present distress through the loss of his

office, and asking for some present means of support until another appointment was conferred upon him. It was decided that a grant equal to three months Salary of his late office should be made to him.

5. A Letter dated the 6th November 1868 from the Chief Commissioner Lands & Works, reporting that the Bridges over Rock Bay and Victoria Arm were extremely unsafe, and urgently required thorough repair or entire reconstruction. It was decided that such repairs should be effected as appeared to the Chief Commissioner indispensable to secure the safety of the Bridges.

6. The Minutes of a Meeting held at Barkerville on the 21st October 1868, and other papers, relative to the establishment of a Fire Brigade at that place, and to pecuniary assistance being sought from Government. It was decided that Mr. Brew, the Magistrate of the District, should be authorized to grant such aid as might seem to him expedient, not exceeding one thousand Dollars.

7. A letter from Dr. Powell, chairman of the Board of Education at Victoria, dated the 9th November 1868, applying for funds to meet the liabilities of the Board. It was decided that \$1000 should be paid: and that if it were possible in the future the grants in aid should be paid periodically.

The Council then adjourned.

Signed William A. G. Young
30 Novr. 1868

Monday, the 30th day of November, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands and Works, The Collector of Customs.
The Minutes of last Meeting were read and confirmed.

The Governor then laid before the Council for their consideration and advice the following papers.

1. A memorial from John Vesey & Co., asking for funds from the Government to enable them to carry out a scheme for irrigating certain land situate about 4 miles above Ashcroft. It was decided that the application could not be granted.

2. A Report dated the 23rd October 1868 from Mr. Pearse, and a minute dated the 6th November 1868, from the Surveyor General, upon the removal of the "Sisters Rocks" in Fraser River. The Council were of opinion that the question should be brought before the Legislative Council.

3. An application dated the 21st November 1868, from Mr. Henry Holbrook, asking for a Reduction of rent, and an extension of his period of lease of a water frontage at New Westminster. It was decided that if existing arrears of rent be promptly paid, the rental from the 1st January 1869 should be reduced one half. An extension of lease could not now be granted.

4. A letter dated the 20th November 1868, from Dr. Powell, the Chairman of the Board of Education, Vancouver Island, with an account exhibiting amount of existing liabilities for the current year. It was decided that the amount should be paid.

5. Two letters dated respectively the 24 June and 30 October 1868, from Mr. B. W. Pearce, Assistant Surveyor General, applying for increase of Salary. The consideration of this matter was postponed.

6. An application dated the 20th November 1868, from the President of the Municipal Council at New Westminster, for payment of the sum of \$1500 on account of keeping Front Street in repair. This matter to be referred to Mr. Ball, Magistrate at New Westminster for report and remarks.

7. An application on behalf of the Tiger Engine Company of Victoria for a grant from the Government to assist them in liquidating the debt due on a Steam Fire Engine recently purchased. It was decided that a grant of the sum of \$750 should be made.

The Council then adjourned.

Signed William A. G. Young
2 Decr. 1868

Wednesday, the 2nd day of December, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

The minutes of last meeting were read amended and confirmed.

The Governor consulted the Council in regard to convening the Legislative Council forthwith. The Council were of opinion that it should be so convened.

The Governor then laid before the Council a letter from Mr. James Cooper Chairman of the pilot Board, dated the 16th November A.D. 1868, conveying a resolution of the Board proposing an alteration in the pilotage Rules and Regulations to the effect that pilots speaking Vessels on the inward passage should be entitled to receive Half pilotage from the same Vessel on the outward passage. The Council were of opinion that the Rule suggested could not be made, although the latter portion would be unobjectionable, viz. that Vessels not spoken by pilots on the inward passage should not be liable to half pilotage on the outward passage when declining the services of pilots.

The Council then adjourned.

Signed William A. G. Young
11 December 1868.

Friday, the 11th day of December, 1868

Present: His Excellency the Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner Lands & Works, The Collector of Customs.

The Minutes of last Meeting were read and confirmed.

A letter dated the 26th November 1868 from Mr. Claudet, Superintendent of the Government Assay Office, was read, reporting upon the probable cost of establishing a Branch Office at Cariboo. The matter was favorably considered.

The Governor laid before the Council and caused to be read a Despatch dated the 26th October 1868 No. 94, from the Secretary of State, acquainting the Governor that an Ordinance passed last Session to establish a Supreme Court of Civil Justice in British Columbia could not be submitted for Her Majesty's approval, because the Colony, unfortunately, had two Chief Justices.

A somewhat desultory conversation then ensued upon the character of certain measures to be considered during the approaching Session of the Legislature.

The Council then adjourned.

Signed William A. G. Young
9 Jan. 1869.

Saturday, the 9th day of January, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last meeting were read and confirmed.

An application dated 7th December 1868 from George Pearkes attorney at law, on behalf of Rollo Elijah Brewster and Theodore Augustus Mudge for a grant of letters Patent for a certain submerged water pump was then considered.

The Council viewed the application favourably and the following order was therefore made.

Whereas application has been made by Rollo Elijah Brewster and Theodore Augustus Mudge for a grant of Letters Patent under the Patent ordinance 1867 for an invention made by the said applicants of a "submerged pump."

And Whereas The Attorney General and The Chief Commissioner of Lands and Works and Surveyor General by an Instrument in writing under their hands and seals, and bearing date the 28th October 1868, have certified that the invention for which the privileges are sought is new and useful and fit to receive protection and exclusive privilege and Whereas it is expedient to encourage the production of all arts and Inventions which may be for the public good.

It is therefore Ordered by His Excellency The Governor by and with the advice of the Executive Council of British Columbia, that Letters Patent should issue under the great seal of the Colony granting to Rollo Elijah Brewster and Theodore Augustus Mudge exclusive privileges and Patent Rights for the said invention for the terms of Seven years conditional upon the novelty and public utility of the invention.

The Governor then laid before the Council for their consideration and advice the following papers.

1. The Tenders received for supplies to Light Houses during the year 1869. The Tender of Mr. Thos. Harris as being the lowest was accepted.

2. The Tenders received for supplies to the Gaol at Victoria during 1869. The Tender of Thomas Harris for meat and vegetables of William Hodges for Bread, and of Fell and Finlayson for Groceries were accepted.

3. An application from Mr. Welcker agent of the California and Oregon Steam Ship Company dated 1st December 1868, for permission to land coal at Victoria for the use of the Company's Steamers.

The request was granted.

4. An application dated 26th December 1868 from Mr. C. S. Wylde Revenue officer—for increase of Salary.

The Council were of opinion that the salary was commensurate to the office.

5. An application dated 4th January 1869 from Mr. C. S. Wylde, Revenue officer, for an advance of \$300 payable by monthly instalments to relieve him from pecuniary difficulties incurred through change of residence and increased expenses owing to Union. The Council were of opinion that the application could not be granted.

6. A memorial from the Fire Department at Victoria asking for some relief and assistance Legislative or otherwise whereby the cost of maintenance of the Department may be lessened to the members.

The matter was discussed and it was resolved that the Department be informed that there was every disposition to aid them and that the matter was under consideration.

7. A memorandum of the Surveyor General dated the 16 December 1868, and one from Mr. Pearse assistant Surveyor General dated the 26th November 1868 upon the present condition of the Burrard Inlet Road. The matter was discussed and further consideration thereof deferred.

8. A letter dated 4th December 1868 from Julius Voight [Voigt] offering to keep the False Creek Road in Repair for \$150.

It was decided that the matter should be referred to the Magistrate at New Westminster with instructions to do what may be necessary at an expense not exceeding Two hundred dollars.

9. An application from James Van Bramer dated 21 December 1868 for a Ferry Privilege for a steam boat on Burrard's Inlet.

The Council were of opinion that further information should be obtained.

10. A letter dated the 21 December 1868 from Mr. G. A. Walkem Barrister at Law recommending that Mr. John Copland Solicitor should be paid the sum of Fifty dollars for his services in the Humphreys administration Suit. The Attorney General supported the recommendation and the Council concurred.

11. An application dated 28 December 1868, from various parties for a Lease of a tract of land known as the "Meadows" on Williams Creek Cariboo.

The request was considered and it was resolved that the matter should be referred to the Gold Commissioner at Cariboo for report and opinion.

12. A letter dated the 29th December 1868 from the Municipal Council at Victoria asking for information from the Government, concerning the altitude &c. of Elk, Prospect and Mount Douglas Lakes.

The matter to be referred to the Surveyor General to take steps to obtain the information required when convenient.

13. A letter dated 4 Jany. 1869 from the Municipal Council at Victoria asking for favorable consideration of the question of increased powers of raising Revenue being conferred upon them.

It was resolved that the question should receive favorable consideration when brought up.

14. A letter dated 23rd September 1868 from the President of the Municipal Council of New Westminster, relative to the purchase by the Government of the outstanding Municipal Debentures amounting to \$12,901.

After some discussion it was decided that an offer should be made to the present holder, who it appeared had obtained them at a large Discount of \$3000 cash for the entire amount.

15. A letter dated 5th January 1869 from Mr. James Cooper Harbour Master proposing to resign his office upon compensation being granted equal to 2 years salary and the amount of the passage money of himself and Family to England.

Mr. Cooper to be informed that no decision could be arrived at until the matter had been referred home.

16. A letter dated 4 January 1869 from Rear Admiral Hastings suggesting a reduction in the pilotage rates when Government Pilots are employed on board Her Majesty's Ships.

It was Resolved that half rates of Pilotage only, be paid by Vessels of War when Government Pilots are employed.

17. Tenders for supplies to Gaol at New Westminster for the year 1868 were then considered.

It was decided that the Stipendiary Magistrate should carry out the proposals in the best manner for the public interests.

The Governor then brought before the Council the question of the existing condition of the Judiciary with two separate Courts and two Chief Justices.

The matter was discussed at some length.

The Council then adjourned.

(sd.) William A. G. Young

Thursday, the 14th day of January, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last meeting were read amended and confirmed.

The Governor laid before The Council the Estimates of Revenue and Expenditure for the year 1869.

The same were considered discussed and agreed to.

The Council then adjourned.

(sd.) William A. G. Young.

Monday, the 25th day of January, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Police Magistrate New Westminster.

The minutes of the last meeting were read and confirmed.

The Governor laid before The Council for consideration and opinion the following papers.

1. An application dated 27th Novr. 1868 from Mr. Charles Evans requesting authority to purchase 800 acres of Lands in addition to 800 acres already held by him in the New Westminster District.

The Council were of opinion that the application should not be granted.

2. An application from Mr. A. C. Campbell dated 29th December 1868, for a Timber cutting Licence on the Reserve at the head of Oyster Bay.

The Council did not think the information before them sufficient to justify a compliance with the request.

3. A letter dated 16 January 1869, from the Municipal Council of Victoria, recommending provision being made for the removal of the Indians from the City of Victoria.

The Council were of opinion that the end might be attained by somewhat extending the powers proposed to be created by the Board of Health Bill.

4. A letter dated 22 January 69 from Mr. B. W. Pearse assistant Surveyor General applying for 12 months leave of absence.

The letter was referred for the Report of the Surveyor General.

The Council Then adjourned.

(sd.) William A. G. Young.

Monday, the 1st day of February, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of of Customs, The Police Magistrate New Westminster.

The minutes of last meeting were read and confirmed.

The Governor laid before The Council for their consideration and opinion the following papers.

1. An application dated the 22nd January, 1869 from Mr. F. H. Lamb agent of the Western Union Telegraph Co. representing the loss The Company had sustained in maintaining the line of Telegraph in British Columbia, and asking for a subsidy of \$6000 for the current year to enable the Company to continue the line in working condition.

Petitions from the Inhabitants of Cariboo, Yale, Lytton, Hope, and Victoria in favor of the line being maintained, were also laid on the Table.

The matter was discussed, but a decision thereon deferred.

2. A letter dated 27th Jany. 1869 from Mr. W. H. Franklyn, appointed Civil Commissioner of the Seychelles Islands asking for an advance of \$1500 to defray the cost of his passage.

It was decided that the request could not be granted.

3. A Petition from certain of the inhabitants of British Columbia praying that the Government would take immediate steps to open the "Eagle" pass.

The matter was considered but decision thereon was deferred to allow of certain enquiries being made as to the intentions of the owners of the Steamer "Marten".

4. A letter dated 26 January 1869 from Mr. B. W. Pearse applying for 1 years leave of absence on private affairs, after more than six years continuous service.

The Council were of opinion the leave should be granted.

The Council then adjourned.

(sd.) William A. G. Young

Saturday, the 6th day of February, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Police Magistrate New Westminster.

The minutes of last meeting were read and confirmed.

The Governor again brought before the Council the question of granting aid to the Telegraph Co. to enable them to keep open the line between New Westminster and Cariboo.

The matter was discussed at some length and it was finally arranged that the Chief Commissioner of Lands and Works should confer with the Agent of the Company and should, if he saw fit, offer the sum of \$3000 for one year for the privilege of sending all Government messages over the line free of charge.

2. The papers relating to the Eagle Pass were again laid before The Council. The Colonial Secretary reported that he had conferred with the owners of the Steamer "Marten" and had ascertained that if the pass were opened they would require a subsidy of at least \$400 a month to enable them to run her.

The question of the expediency of opening the pass was very fully considered and the opinion of the Council was that the work should not be undertaken until further explanation had been made and further information obtained.

3. An application dated 28th January from the Chief Engineer of the Victoria Fire Department asking for aid from Government to the extent of \$1000 was then considered. It was decided that the grant should be made but the Fire Department was to be informed that for the future it must not look to the general Government for aid, as provision was being made to enable it to be supported by local rates.

4. An application dated the 28 Jany. 1869 from Mr. John White for 12 months leave of absence on private business was then considered.

The Council were of opinion that leave should be granted but that the Colony should not be put to extra expense owing to Mr. White's absence.

5. The Governor then laid before The Council a Petition he had received from certain of the Residents in North and South Saanich praying for aid to improve the condition of the public Roads leading to Victoria.

Action thereon was deferred.

6. A letter from the Chief Commissioner of Lands and Works dated 5 Feb. 1869 complaining of certain irregularities in the conduct of Mr. Saunders Draughtsman in the Department was then taken into consideration.

The Council were of opinion that Mr. Saunders should be warned that any repetition of his mis-conduct would be followed by dismissal.

7. The Governor then laid before The Council a Resolution of the Legislative Council dated 18 January 1869 recommending that Rewards should be offered for the destruction of Wolves and Panthers.

The Council advised that action thereupon should only be taken when proof was given of its necessity.

The Council then adjourned.

(sd.) William A. G. Young

Saturday, the 27th day of February, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of last meeting read and confirmed.

The Governor laid before the Council the Calendar of Prisoners tried at the Assize held at Victoria on the 16th February 1869 with reference to two Prisoners sentenced to death, one Peter Kakan a Kanaka, and the other an Indian named Harry, both for the crime of wilful murder.

Mr. Chief Justice Needham was then introduced to the Council and handed in his notes of the trials which were read to the Council.

In reply to a question put by the Governor, Mr. Needham stated that he was sorry to say he saw no reason why the sentence of death should be commuted in either case.

Mr. Needham then retired.

The Council deliberated on both cases and were of opinion that the extreme sentence should be carried out in both cases.

The Governor then laid before the Council a declaration made by Thomas Brannan and Andrew Phillips respecting the loss of the Schooner "Alpha" on the West Coast of Vancouver Island and presenting their claim for some relief in consequence of the losses they had sustained.

The matter was discussed and it was decided that the case did not appear sufficiently serious to call for the immediate visit of a ship of war to the scene of the disaster and that pecuniary relief could not be afforded to the applicants. The repayment of the sum of \$50 guaranteed to the Indians by Mr. Spring was favorably considered.

The question of the branch assay office at Cariboo was again considered and various papers read.

It was decided that the office should be at Richfield under the charge of Mr. Hitchcock, who was to be granted during the time of his residence at Richfield, a personal allowance of \$500 a year in addition to his present Salary. The details of arrangement as suggested by Mr. Claudet in his letter of the 4th February were approved and left to him to carry out.

An application dated 10 February 1869 for pecuniary aid to the Schools attached to the order of the Sisters of St. Anne, and the Brothers of St. Louis was then considered.

It was decided that aid could not be extended.

A Petition for the improvement of the Trail between Hope and Chilwayhook [Chilliwack] was then laid before the Council.

The Council were of opinion that the financial condition of the Colony would not admit of any outlay for this purpose at present.

A letter from the Bishop of Columbia, dated the 18 February 1869 was then considered. The Council were of opinion that his request for repayment of the sum of \$109 expended on the Mission House at Victoria could not be granted, but that \$60 expended for drugs might be repaid from the Indian Reserve Fund.

A letter dated the 10 February 1869 (with enclosures) from the Pilot Board was then read.

The Council were of opinion that the proposed alterations in the pilotage Rules and Regulations should be deferred for the present.

The report of the Chief Commissioner of Lands and Works upon his negotiation with the Telegraph Company in respect of keeping up the line from New Westminster to Cariboo was then discussed, and the Council were of opinion that the Government should grant the sum of \$4,500 in aid to the Company and for the privilege of sending all Government Messages free over the line, it appearing that without this aid the line would be undoubtedly closed.

The Council then adjourned.

(sd.) William A. G. Young

Wednesday, the 10th day of March, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs, The Police Magistrate New Westminster.

The Minutes of last Meeting read and confirmed.

The Governor laid before the Council the following papers for their consideration and advice.

1. Report dated 13 February 1869 from Mr. Commissioner Brew upon the application from certain persons for a lease of the tract of land on William Creek Meadows.

The report was discussed and it was agreed that details of the scheme proposed to be carried out under the lease should be asked for.

2. Resolution dated 5th February 1869 of the Legislative Council upon the Petition of Robert Homfray.

The Council after consideration recommended that the amount of Mr. Homfray's claim should be paid.

3. A Resolution of the Legislative Council dated 15th January 1869.

The Council were of opinion that this Resolution recommending that Road Tolls be remitted on Colonial Flour, Bran &c. should not be acceded to.

4. The following Resolutions dated 21st January passed in Committee of Supply were considered and disposed of as noted against each.

The recommendation to appropriate the sum of \$200 for the carriage of mails between New Westminster and Burrards Inlet was agreed to and it was decided that Tenders for the service should be called for.

The Council were of opinion that it was at present unnecessary to make provision for a Mail communication once a week to Metchosin.

That enquiries should be made from Mr. Barnard the Contractor for the Mail Service to Cariboo relative to the change proposed in Sending the Mail to Lillooet and that the Chief Commissioner of Lands and Works should report upon the Resolution relative to the Saanitch Roads and Road to Metchosin.

The recommendation that a drawback should be granted upon manufactured biscuit shipped for exportation was discussed, but no decision was arrived at.

5. Resolutions of the Legislative Council passed in Committee of Supply on the 22 January 1869 were then considered.

The Council concurred in the importance of possessing a trunk Road from New Westminster to Yale, but were of opinion that the finances of the Colony would not permit the work of survey or construction to be undertaken at present.

Grants in aid to the Fire Companies at Victoria and Barkerville were agreed to.

The Recommendation for the construction of a Court House at Yale would be further considered after enquiries as to its actual necessity had been made.

6. The Governor asked the opinion of the Council upon the Game Bill which had been passed by the Legislative Council. After discussion the Governor was advised to recommend the insertion of a clause exempting from the operation of the ordinance Settlers who might kill game solely for their own use.

7. The Governor laid before the Council certain Resolutions presented to him by the Mayor and Council of Victoria, complaining of the action of the Legislative Council in excluding Beacon Hill Park from the city limits.

It was agreed that Beacon Hill park should remain so excluded.

8. A letter dated 6 January 1869 from Mr. Spalding the Magistrate at Nanaimo was read in which he stated that the inhabitants of the District would supply about \$500 towards the construction of a Bridge across Nanaimo Harbour.

Also a minute of the Chief Commissioner of Lands and Works recommending the execution of the work at a cost of about \$1000 so soon as the \$500 was handed over to his Department.

The Council concurred in this recommendation.

9. A letter was then read dated 3 March 1869 from Mr. R. Carrall recommending the exploration of the head waters of the Fraser and Peace Rivers by a party to be aided by Government to the extent of a moiety of their expenses; the matter was discussed and the Council advised that the Government should grant a sum in aid of this enterprise not exceeding \$500.

10. The question of increasing the staff of constables in the Kootenay District was then considered and the letter dated 13 January 69 from Mr. Commissioner O'Reilly read.

The Council were of opinion that Mr. O'Reilly should be authorized to make the increase if circumstances rendered it really necessary.

11. The Governor laid before the Council a Resolution of the Legislative Council dated 15 February 1869 requesting that voyages to foreign ports should be considered of not less than 40 days duration, so that foreign going ships should obtain their stores out of Bond.

The matter was discussed but was deferred for consideration in connection with the Drawbacks Bill.

12. A letter dated 6 February 1869 was then read from Mr. Pemberton recommending the award of a gratuity of \$100 to Police Sergeant Bowden for his special exertions during the prevalence of small pox. The Council advised the grant of £50.

13. The question of the appointment of some officer to attend the duties of Harbour Master was then brought up.

Some discussion ensued but action was deferred.

14. The applications of Messrs. Sanders and Bushby for allowances during the absence from fixed residence in attendance at the Legislative Council was again considered.

The Council were of opinion that no allowance could be granted, but that actual travelling allowance should be paid.

The Council then adjourned.

(sd.) William A. G. Young

Monday, the 15th day of March, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Police Magistrate New Westminster.

The minutes of last meeting read and confirmed.

The Governor laid before the Council a letter dated 10 March 1869 from one Thomas Spring a trader on the North West Coast of Vancouver Island, reporting that a Barque had been wrecked on the West Coast and forwarding part of a cash Book of the English Barque "John Bright" which had been obtained from the Natives and was supposed to have belonged to the wrecked vessel.

After some discussion the Governor stated that he would forward the papers to the Admiral with the observation that the ship did not belong to the Colony nor was she bound to any port in it and that His Excellency saw no evidence of any murder having been committed by the Natives.

The Council then adjourned.

Saturday, the 20th day of March, 1869

Present: His Excellency The Governor, The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs.

The Minutes of last meeting were read amended and confirmed.

The Governor laid before the Council various papers relative to the grant of a charter for a Bridge at Quesnelle mouth to Charles Danielson. After some discussion the Council recommended that the Charter should be granted upon the conditions proposed by The Chief Commissioner of Lands and Works in his minute of 9th March 1869.

An application dated 13th March 1869 from Mr. Reynolds and F. Lakin for assistance to organize an exploration party, was then considered and it was decided that assistance could not be extended.

An application dated 25 March 1869, from Messrs. Fellows and Teideman for a Reserve of mineral land in Baynes Sound, was next considered and was granted to the extent of 2000 acres for one year.

A letter was then read dated 5 March 1869 from Mr. N. J. Armstrong earnestly requesting a grant of funds in aid of the Hospital at New Westminster.

It was decided that Mr. Ball should be directed to enquire into the system of management carried on at this Hospital and to report with a view to determining the question of maintaining but one Hospital in the lower portion of the Colony.

The Governor then laid before The Council a Memorial from W. F. Tolmie Chief Factor of the Hudson Bay Co. praying for a refund of the sum of \$400 penalty inflicted by Mr. Duncan Magistrate at Methlakatla upon Mr. Cunningham an employé of the Hudson Bay Co. for selling spirits to Indians and for a reversal of the Magistrates finding.

As it appeared the matter had been already appealed to the Supreme Court and dealt with there, The Council advised the Governor not to interfere.

The Council then adjourned.

(sd.) F. Seymour.

Friday, the 30th day of April, 1869

The Council met at one o'clock.

Present: His Excellency The Governor and The Honbles. The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs, The Police Magistrate New Westminster.

The minutes of the last meeting having been read and confirmed The Colonial Secretary Mr. Hankin was sworn in as a member of the Council and took his seat.

A letter from Mr. Jesse dated April 10th was then read requesting some compensation might be allowed him on resigning his office, when it was decided that under the circumstances no compensation could be allowed.

A letter from Messrs. Fell and Finlayson dated 8th April tendering for supplies to the Light Ship was then laid before the Council when it was decided on the recommendation of the Chief Commissioner of Lands and Works, that the necessary supplies should be obtained from them.

A letter was next read from the mayor of Victoria dated 8th April calling attention to the provisions of the Health Bill, when it was determined that the two cities of Victoria and New Westminster should be proclaimed to be Health Districts under the Health ordinance 1869, and the Colonial Secretary was instructed to write to the Mayors of the respective cities, requesting them to suggest such By-Laws to be laid before The Governor in Council as may appear most expedient for carrying out the provisions of the Health ordinance.

The Council then adjourned.

(sd.) P. J. Hankin

Saturday, the 8th day of May, 1869

Council met at noon.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary, The Cf. Commr. of Lands & Works, The Collector of Customs.

The Minutes of the last meeting were read and confirmed.

A letter was then read from Mr. Young dated 4th May applying for leave of absence for 12 months on the half salary of the Colonial Secretary of Vancouver's Island and asking that the passage of himself and family should be paid to England when the Governor was recommended to allow Mr. Young the passage money of himself and family to England as compensation in full as against British Columbia, should he persist in asking for it.

Leave of absence refused, Mr. Young not being in office.

The question of removing the Songish Indians from the Reserve at Victoria was then discussed by the Council when the Governor was advised to see the Police Magistrate at Victoria, for information as to the best method of moving them.

A letter of 27 April from Mr. Claudet was next read requesting to know what arrangements should be made with regard to the travelling expenses, and extra allowance for the staff of the Branch Assay office in Cariboo, when it was decided that the suggestions made in Mr. Claudet's letter be carried out.

The Council then adjourned.

(sd.) P. J. Hankin.

Wednesday, the 12th day of May, 1869

Council met at 2.30 p.m.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary, The Attorney General, The Cf. Commr. of Lands & Works, The Collector of Customs, The Police Magistrate from N.W.

The Minutes of the last meeting were read and confirmed.

A letter dated 6th February from Mr. Berkeley Secretary of the Pilot Board was read Enclosing a letter from Captain Raymur resigning membership of the Pilot Board.

Resignation accepted.

A letter was next read from the Commissioners of Savings Banks requesting a sum of money to be placed at their disposal to enable them to establish an office in Victoria in conformity with the Savings Bank ordinance by the appointment of a Cashier the providing of office accommodation Books &c. when it was decided that the Public Treasury be the most fit and proper place for a Savings Bank and the Colonial Secretary was instructed to write to Mr. Graham (The

officer in charge of the Treasury) authorizing him to receive all moneys from persons who may wish to make deposits with him, in accordance with the Savings Bank ordinance and to provide himself with the necessary Books &c. at the public expense for the purpose of carrying out the provisions of the Act.

Letters were then read from Mr. Morley the Magistrate at Cowichan and Mr. Mohun stating that the Indians at that place would not allow Mr. Mohun to proceed with the survey of the Indian Reserve which had been ordered by the Government, when The Governor was advised that the Police Magistrate at Victoria be instructed to visit Cowichan with two or three constables and endeavour to arrange the matter.

A letter from The Revd. Mr. Jamieson Presbyterian Minister dated May 5th was next read asking on what terms the Government would dispose of the Church at Derby near Langley, when the Colonial Secretary was instructed to write and acquaint Mr. Jamieson that the Government had no intention of disposing of the Building applied for.

The Council then adjourned.

(sd.) P. J. Hankin

Monday, the 17th day of May, 1869

Council met at 2.30 p.m.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary, The Attorney General, The Cf. Commissr. of Lands & Works, The Collector of Customs.

The Minutes of the last meeting were read and confirmed.

A letter from Mr. Hugh Nelson dated May 12th was read making an offer of \$15000 for the Government Steamer "Sir James Douglas."

Decision deferred till next meeting.

A telegraphic message from the Gold Commissioner at Cariboo was then laid before The Council, requesting permission for the Assay office to be established at Barkerville instead of Richfield which arrangement was approved, and it was decided therefore that the office should be established at Barkerville.

A letter dated the 29th April from the Gold Commissioner at Cariboo was next read enclosing the report of the Committee which was appointed by the Williams Creek miners to take into consideration the application of certain persons for a grant of about 5 miles of the Williams Creek "Meadows" with the view to the formation of a Company for prospecting and mining the same.

Deferred till next meeting.

A letter from the Postmaster General dated 14th May was next laid before The Council enclosing a report from Mr. Semler [Semlen] relative to the probable

cost of sending a monthly summer mail from Cache Creek viâ Kamloops and tendering to perform the work at \$100 a month.

Tender not accepted.

A letter from Dr. Ash dated April 3rd was next read requesting to know on what terms The Government would sell a square mile of land at Comox over which a prospecting Licence had already been granted him, when the Council were of opinion that the Lands in question should not be sold.

Dr. Ashs application to purchase was refused accordingly.

A letter dated 8th May from the Light House keeper at the Race Rocks was next read making application for a smaller Boat than the one at present in use, when the Council were of opinion a small boat was necessary, and his application was granted accordingly.

The Council then adjourned.

(sd.) P. J. Hankin.

Monday, the 14th day of June, 1869

Council met at 12 oclock noon.

Present: His Honor The Officer Administering The Government and The Hons. The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Officer Administering the Government then acquainted the Council that in consequence of the death of His Excellency Governor Seymour he had as Senior member of the Executive Council, assumed the administration of the Government.

His Honor then took and subscribed before the Senior member of the Executive Council then present, the customary oath of allegiance and office.

His Honor next acquainted the Council that he had appointed Mr. Charles Good The Assistant Colonial Secretary to Act as Colonial Secretary. Mr. Good having then taken and subscribed the Customary oaths took his seat.

It was then agreed that the funeral of the late Governor should take place at Esquimalt and that all the necessary arrangements should be left to the discretion of His Honor The Officer Administering The Government.

The Council then adjourned.

(sd.) Charles Good

Saturday, the 19th day of June, 1869

Council met at 11a.m.

Present: His Honor The Officer administering the Government and The Hons. The Acting Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, The Magistrate from New Westminster.

The minutes of the last meeting were read and confirmed.

A letter dated 2nd June from the Magistrate at Lilloet was read enclosing an application from Mr. Hughes Toll Collector at Clinton for 5 months leave of absence.

Agreed that Mr. Hughes be informed that the leave will be granted if his substitute be approved of, but without Salary while absent on leave.

A letter dated 18th May from Mr. Armstrong of New Westminster applying for a drawback on home manufactured flour and making enquiry as to the intentions of the Government as regards altering the tariff on wheat, was next read, when it was decided that Mr. Armstrong should be acquainted that the Government could give him no information in regard to The Tariff and that the drawback to which reference was made had already been disallowed.

A letter from Mr. Hugh Nelson dated May 12th offering to purchase the steamer "Sir James Douglas" at Fifteen thousand dollars was then read, when it was agreed that Mr. Nelson be acquainted that the Government were unable to accept the offer of \$15000.

A letter dated 5th June from the Police Magistrate at Victoria was next read, having relation to a reported Fenian Invasion when it was agreed that Mr. Pemberton be thanked for his suggestions.

A letter from the mayor of Victoria dated 21st May requesting that an alteration in the Health By Law be made was next read when it was ordered

That in lieu of the words "Stipendiary Magistrate" in Clause 9 of the Health By Law passed by order in Council of the 8th May 1869, the words "any Justice of the Peace" be inserted and that such By Law be read and construed accordingly.

That all fees and fines received under the said By Law or the Health Ordinance 1869 shall be deemed paid and accounted for as part of the Public Revenue.

A letter dated 12 June from the Magistrate at Nanaimo was next read enclosing a Petition from the Inhabitants of Comox praying to be created a Fence District under the Fence ordinance 1869, when His Honor was advised that the Petitioners be acquainted that under that ordinance the District of Comox is already included within the provisions thereof.

A letter from the Magistrate of New Westminster dated May 31st and endorsing the application of one John Thomas a miner for aid in an exploration of the Squamish Country, he having lost \$600 worth of property in endeavouring to prospect it by his private means was next read, when it was decided That the

Magistrate of New Westminster be authorized to advance the applicant the sum of \$100 for the purpose of prospecting, provided the people of New Westminster will furnish a like Sum.

A Petition from Mr. Steinburger of Yale, complaining of the action of the magistrate there, in refusing to grant him a liquor licence was next read, when it was decided not to interfere with the magistrates decision.

A letter dated 16th June from Mr. [J.] C. Nicholson requesting that no further licences should be granted to sell liquor near the saw mill [at] Burrards Inlet was then read, and it was agreed that the opinion of the Attorney General be obtained, as to whether the land in question be unincumbered Crown land.

A letter from The Gold Commissioner at Cariboo was next read dated 29th April and enclosing the Report of a Committee appointed to enquire into the propriety of conceding the right to mine the whole of that part of Cariboo known as the "Meadows" to a Victorian Company.

Ordered to be deferred till next meeting.

The Council then adjourned till Monday the 21st at 12. p.m.

(sd.) Charles Good

Monday, the 21st day of June, 1869

Council met at 12 oclock at noon.

Present: His Honor The Officer Administering The Government and The Hons. The Acting Colonial Secretary, The Attorney General, The Chief Commissioner of Lands and Works, The Collector of Customs, The Magistrate of New Westminster.

Minutes of previous meeting confirmed.

A letter from Mr. Walker was next read dated 29th May making application for a settlement of the claim of Messrs. Brown and Gillis for compensation for land at Quesnel sold by the Government.

Ordered to be deferred till next meeting of Council.

A letter from the Esquimalt Road Commissioners dated May 19th was next read when it was decided that the Resignation tendered could not be accepted nor their liability assumed by the Government.

A letter from Mr. Sanders J.P. of Lilloet[t] was next read, dated 25 May enclosing Petition from certain settlers praying that Pastural Leases might be granted when it was decided that if the Petitioners would apply separately through the Stipendiary Magistrates the same would be considered by the officer administering the Government.

A letter from Mr. Rees Rees was then read dated 19 June offering to accept \$3000 for the New Westminster Municipal Debentures, with interest to date.

Ordered to be deferred till next meeting.

The Council then adjourned.

(sd.) Charles Good

Friday, the 25th day of June, 1869

Council met at 2 o'clock p.m.

Present: His Honor The officer administering The Government and the Hons. The Acting Colonial Secretary, The Attorney General, The Cf. Commissr. of Lands and Works, The Collector of Customs, The Police Magistrate New Westminster.

The Minutes of the last meeting were read and confirmed.

The question of leasing the "Meadows" at Cariboo was again brought up when it was decided that the attorney General prepare and submit to the next meeting of Council a Lease embodying the suggestions made by the Committee of Miners at Cariboo.

A letter from Captain Lewis of the Steamer "Otter" dated 26 May was next read in reference to some supposed disturbances on the North Coast at Bella Coola when it was decided that no action need be taken in the matter as it had already been settled when The late Governor visited that part of the Country in the "Sparrowhawk."

The application of Mr. Rees Rees was again considered when it was decided that Mr. Rees be acquainted that the letter to which he alludes as having offered to accept \$3000 and interest for the New Westminster Municipal Bonds had never been received.

The question of arranging the common Schools of the Colony and of putting in force the Common Schools ordinance 1869 was next brought up, when it was decided that the following should be School Districts.

Victoria	comprising	Victoria district and city schools
Esquimalt	„	Craigflower and Esquimalt
Saanitch		
Cedar Hill	„	Lake and Cedar Hill
New Westminster	„	New Westr. Sapperton
		Langley Burrards Inlet

Nanaimo

Yale

Clinton

Lytton

and that sums not exceeding the annexed amounts be given for each School.

Victoria	\$1000
Esquimalt	1000
Saanitch	500
Nanaimo	500
Lake and Cedar Hill	1000
Yale	500
New Westminster	1000
Clinton	500
Lytton	500

and that full information be conveyed to all parties concerned.

A Letter from Mr. Garesché dated 29 June enclosing a Bill drawn by Mr. Waddington on account of salary as Superintendent of Schools and requesting payment was next read when it was decided that Mr. Garesché be acquainted that the Government do not recognize any legal claim on the part of Mr. Waddington.

The Council then adjourned.

(sd) Charles Good

[Marginal Note] Certified a correct copy of the minutes of the Executive Council of British Columbia from the 1st January to the 30th June 1869. Charles Good, Acting Colonial Secretary.

Friday, the 2nd day of July, 1869

Council met at 2 o'clock P.M.

Present: His Honor The Officer Administering and The Honbles. The Acting Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The minutes of previous Meeting read and confirmed.

His Honor brought before the Council the subject of sending an Officer to Kootenay and requested the opinion of the Council on the subject.

The Council were of opinion that an Officer should be at once despatched, and it was agreed that Mr. Ball the Magistrate of New Westminster should be instructed to proceed to Kootenay without delay in accordance with the intentions of the late Governor.

The Calendar of the late Assize was then read in which it was found that three Indians were condemned to death.

One "Tom" for the murder of a colored man at Salt Spring Island.

"John" alias "Anaits-che-sist" and "Katkeena" for the Murder of a White Woman and man respectively who came ashore at "Ilushquiet" from the Wreck of the "John Bright".

Mr. Chief Justice Needham was then introduced into the Council and handed in his notes of the Trials which were read to the Council.

In reply to a question put by His Honor, Mr. Needham stated he saw no reason why the sentence of death should be commuted in either case.

Mr. Needham then retired. The Council deliberated on all three cases and were of opinion that the extreme sentence should be carried out in all.

The Calendar of the Assizes held at Clinton on the 19th May last was next read, when it was found that a Chinaman named "Sed Gee" was condemned to death for the wilful murder of "Ah Chun".

The Judges notes were read aloud to the Council, who were of opinion that in this case also the extreme sentence should be carried out.

It was ordered that the Indians should all be executed in the locality where the Murders were committed.

The Council then adjourned till Monday the 5th July at 2 oclock.

(Signed) Charles Good
Actg. Colonial Secretary

Monday, the 5th day of July, 1869

Council met at 2 o'clock P.M.

Present: His Honor The Officer Administering and The Honbles. The Acting Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The Minutes of previous Meeting read and confirmed.

A letter dated 1st July making certain suggestions from Captain Spring as to the North West Coast of Vancouver Island.

Consideration deferred.

A letter was next read from the Agent of the Colonial Securities Company in Victoria asking for payment of \$90,000 under the "Exchequer Debenture Ordinance 1867". It was agreed that the Company be informed that the Government is not prepared to redeem the Bonds at present; but the interest would be paid regularly as it became due, and notice of redemption given under the "Exchequer Ordinance 1867."

A letter was then read from Mr. Neustadt Agent of the Steamer "G.S. Wright" asking that the half Pilotage charged at Nanaimo be remitted.

It was agreed that the applicant be acquainted that His Honor had no power to interfere.

The case of the claim of Messrs. Brown & Gillis of Quesnelle was again brought up when it was determined that Mr. Walker their legal adviser be made acquainted with the opinion of the Attorney General lately given on the matter.

The application of Rees Rees for the Government to purchase the New Westminster Municipal Bonds was again considered, and it was decided that Mr. Rees be finally informed that \$3000 will be given, and that the offer will not be repeated, if not accepted by the 1st August.

The Council were further of opinion that if this offer be accepted that the sum of \$750 per annum agreed to be paid by the Government to the Municipal Council New Westminster be retained till the amount of \$3000 be

covered; the liability now taken over being entirely one incurred by The Council and not by the Government.

A letter was read dated 16th April from Mr. Buie asking for a subsidy for the Telegraph from Quesnelle to Cariboo.

Agreed that it was not in the power of His Honor to accede to this request.

The Council then adjourned.

(Signed) Charles Good
Actg. Colonial Secretary

Tuesday, the 13th day of July, 1869

Council met at 2 o'clock P.M.

Present: His Honor The Officer Administering and The Honbles. The Actg. Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The Minutes of last Meeting read and confirmed.

The Officer Administering the Government laid before the Council copy of a confession made by "Anaits-che-sist" alias "John" an Indian convicted of the murder of one of the crew of the "John Bright" and now under sentence of death. His Honor stated that as this confession implicated the Chiefs of the Tribe to which "John" belonged he had forwarded it to the Chief Justice, and he read the reply he had received, viz.: that the Chief Justice saw no reason why such confession should interfere with the sentence.

The Council agreed with this decision.

A letter was read from Mr. Bates agent of the Vancouver Island Coal Company at Nanaimo, dated 7th July offering to compound a claim of some \$700. against the Government for a payment of \$280.

It was agreed that the deliberate decision (authorizing the payment of \$200 in full of all claims) come to in this matter by the late Governor should be adhered to.

The proposed boundaries of the Victoria, Esquimalt, and Cedar Hill School Districts were then agreed to.

A letter from Mr. A. T. Bushby dated 8th July on the subject of redemption of an Exchequer Debenture Bond for \$2000 was then read.

It was decided that Mr. Bushby be acquainted that the Government is not prepared to redeem the said Bond at present, but that the interest thereon will be regularly paid as it becomes due, and notice of redemption under the "Exchequer Debenture Ordinance 1867."

The Council then adjourned.

(Signed) Charles Good
Actg. Colonial Secretary

Thursday, the 15th day of July, 1869

Council met at 1 o'clock P.M.

Present: His Honor The Officer Administering and The Honbles. The Actg. Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The minutes of previous Meeting read and confirmed.

The subject of the application to work the "Meadows" at Cariboo was again taken up. It was agreed that the Company be offered the lease prepared by the Attorney General, the offer to hold good for two Months and the lease to be granted when the Company is duly formed to the satisfaction of the Government with a subscribed Capital of \$100,000 of which \$25,000 must be paid up.

A letter from the Chief Commissioner of Lands and Works and Captain Mist R.N. Justices of the Peace was then read dated 5th July reporting the seizure on the North Coast of the Schooner "Nanaimo Packet" for an infraction of the Indian Liquor Law and the steps taken for her safe custody.

Agreed that all proper charges on this account be paid and the ship sold by public Auction.

A letter from two of the School Teachers was next read dated 14th July asking to be paid their Salaries for June. Agreed that the proportion of the Government grant of \$500 for each Teacher be paid to them.

A Petition from T. L. Wood Esquire Barrister-at-Law was next read, praying that the sentence of death on "Anait-che-sist" alias "John" might be stayed until an appeal could be made to the several Judges of the Supreme Courts of the Colony.

It was agreed that the opinion of the Attorney General on this subject be obtained.

A letter from Peter Fraser asking for a refund of Road Tolls charged on Saw Mill Machinery carried from Lillooet to Cariboo be refunded was next read.

Agreed that the application be granted.

The Council then adjourned.

(Signed) Charles Good
Actg. Colonial Secretary

Friday, the 16th day of July, 1869

Council met at 1 o'clock P.M.

Present: His Honor The Officer Administering and The Honbles. The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of previous Meeting read and confirmed.

The opinion of the Attorney General on the Petition of T. L. Wood Esquire Barrister-at-Law for the sentence of death on "Anait-che-Sist" alias "John" to be postponed until an appeal could be made to the several Judges of the Supreme Courts of the Colony was read aloud to the Council.

It was agreed that Mr. Wood be acquainted that His Honor sees no reason for interfering with the sentence of the Court.

The Council then adjourned.

(Signed) Charles Good
Actg. Colonial Secretary

Saturday, the 24th day of July, 1869

Council met at 11 o'clock a.m.

Present: His Honor The Officer Administering and The Honbles. The Actg. Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The Minutes of previous meeting read and confirmed.

A letter from Mr. Brew, J.P. dated 12th July suggesting that aid be afforded the Cariboo Library.

Consideration deferred.

The subject of a claim made by the Revd. Mr. Owen for \$109 in repayment of expenditure incurred by him to aid the Indians suffering from Small Pox was again considered.

The report from the Indian Reserve Commissioners which had been called for as having relation to the application was read aloud.

It was decided that Mr. Owen be paid the sum of \$109 out of the Indian Reserve Fund.

The question of the condition of the Songish Indian Reserve was next considered.

It was decided that the present Commissioners be relieved of the charge of the Reserve and that the whole matter be handed over to the management of the Chief Commissioner of Lands & Works.

An application dated 22nd July from the Revd. E. Cridge was then read, asking for \$250 in aid of the Female Infirmary, that sum being the unpaid balance of a grant made by the Legislature in 1865.

Agreed that Mr. Cridge be acquainted that the sum of \$250 will be granted on evidence being afforded that the Committee are in a position to liquidate the whole debt on the Building.

A minute from the Chief Commissioner of Lands and Works on the subject of certain unauthorized occupation of Public land by Cameron Nias and Trimble was read.

Ordered to be referred for the opinion of the Attorney General.

A letter dated 13th July from Jas. E. McMillan making certain charges against F. G. Barnard the Mail Contractor was next read.

Ordered to be referred to the Post Master General for report.

A Petition from the Saanich School Local Board was next read.

It was decided that the pecuniary grant should be made in aid of the School.

The Council then adjourned.

(Signed) Charles Good
Actg. Colonial Secretary

Wednesday, the 28th day of July, 1869

Council met at 2 o'clock P.M.

Present: His Honor The Officer Administering and The Honbles. The Actg. Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The Minutes of the previous meeting read and confirmed.

A letter from the Mayor of Victoria dated [6 July] making application for a grant of Salary for 3 Teachers and for \$500 to be expended by the Government in repair by the School House, was read.

Agreed that the sum of \$375 be granted for each of the Schools now in operation in the District dating from the 1st April 1869 and \$250 for a Female Teacher for the half year commencing 1st July 1869 and that a sum not exceeding \$500 be expended by the Chief Commissioner in repair of the School House.

A letter from the President of the Municipal Council of New Westminster stating that steps had been taken in that District in reference to carrying out the provisions of the Common School Ordinance 1869, and asking a Grant of \$2000 in aid of the Schools of the District was read.

Agreed that the sum of \$1800 be granted.

The opinion of the Attorney General as to whether the Land in Burrards Inlet known as the old Town Reserve was unincumbered Crown Land was read aloud to the Council.

Also a letter from Mr. Ball J.P. of New Westminster in reference to Leases granted by him on that Reserve, a letter from Mr. Nicholson of the British Columbia and Vancouver Island Spar and Mill Company requesting that no more Licenses to sell liquor might be granted on such Reserve, also a letter from Mr. G. Brew enquiring upon what terms the Government would dispose of a portion of such Reserve.

Agreed that the Chief Commissioner of Lands & Works be instructed to direct the Magistrate at New Westminster not to grant any more Leases on the said Land and eject all intruders on the same.

Also that Mr. Brew be informed that the Government do not desire to dispose of any such land.

Also that Mr. Nicholson be acquainted that the Government will not for the present grant any further Leases or Licenses on the said Land.

A letter from the Secretary of the Royal Victoria Hospital was read, making application for pecuniary aid.

Agreed that this Hospital be placed on a similar footing to the other Hospitals in the Colony and receive a regular monthly aid in this case to be \$320 per month and that the Board be acquainted that the allowance for 7 months at this rate is at the disposal of the Board.

The Council then adjourned.

Confirmed after amendment.

(Signed) Charles Good
Actg. Colonial Secretary

Friday, the 13th day of August, 1869

Council met at 2 P.M.

Present: His Honor The Officer Administering and The Honbles. The Actg. Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The Minutes of the previous Meeting were read, amended and confirmed.

A letter was read from the Honble. Mr. O'Reilly dated 21st July, enclosing an application from Messrs. Cornwall for a lease of 6000 acres of Pastoral Land under the Land Act 1865.

Agreed that the Chief Commissioner of Lands & Works be authorized to grant the Lease in question at a yearly rental of \$200, provided not less than 300 head of Cattle are kept on the land in question.

An application from the Esquimalt and Craigflower Common School Board for pecuniary aid was next read.

Agreed that the Statutory aid be granted.

A letter was then read from the Honble. A. T. Bushby, forwarding a Petition from the inhabitants of the North Arm of Fraser River, to be constituted a Fence District.

Agreed that the prayer of the Petition be granted.

A letter from Mr. Spring of the Schooner "Surprise" dated 4th August was read, claiming \$64 for supplies given to the Ahousat Indians for rescuing the Crew of the wrecked Schooner "Alpha".

Agreed that Mr. Spring be paid the sum in question.

The Council then adjourned.

(Signed) Philip J. Hankin
Colonial Secretary

Wednesday, the 1st day of September, 1869

Council met at 11.30 a.m.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of the last Meeting read and confirmed.

A letter from Mr. Alston dated 28th August was read enclosing a Petition from the inhabitants of Salt Spring Island, praying a grant of \$500 be allowed them, towards paying the expenses of their School, under the "Common School Ordinance 1869."

Same deferred for further information.

A letter was next read dated 12th August from the Local School Board at Lytton praying that the Statutory grant of \$500 be allowed them for the assistance of the School at Lytton, the same deferred for further information.

A letter from the Magistrate at Cariboo dated 1st August was then read, enclosing an application from his Clerk Mr. Cochrane for Six Months leave of absence, to commence from the 1st November 1869, when it was agreed that the leave be granted with half Salary, and Mr. Brew be requested to suggest the name of some person to act as "locum tenens" who will be entitled only to the half Salary unappropriated by Mr. Cochrane, and Mr. Brew be further instructed to inform Mr. Cochrane his half Salary cannot be paid in advance.

The question of selling the Dredger, Punts, "Leviathan" and "Atalanta" was then discussed by the Council, when it was agreed that they be duly advertised and sold by Public Auction.

The Council then adjourned.

Read and confirmed.

(Signed) A. Musgrave.

Monday, the 6th day of September, 1869

The Council met at noon.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of last Meeting were read and confirmed.

The letter of the 28th August from Mr. Alston enclosing application from the inhabitants of Salt Spring Island (which was deferred at last meeting) was again brought before the Council, when it was agreed that the usual grant at the rate of \$500. per annum be allowed, with the understanding that the

provision for 1870 would depend on the report of the Board on the condition of the School.

A letter of September 2nd from the Chairman of the local School Board at New Westminster was read requesting a Government grant of \$500 for the purpose of building a School House at Burrard Inlet. Decision deferred.

A letter of 12th August was next read from the local School Board at Lytton, making application for the Statutory grant of \$500 for the support of the School, when it was agreed that the same be granted for this year, and the provision for 1870 would depend on the report of the Board.

The Council then adjourned.

Read and confirmed.

October 22nd 1869

(Signed) A. Musgrave
Governor

Friday, the 22nd day of October, 1869

Council met at 11 a.m.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

Minutes of the last meeting were read and confirmed.

An application from the School Board in Lake District was read, asking for the usual Government Grant of \$500. When it was agreed that the Board be allowed a grant of \$500 per annum, on their submitting the name of a Teacher for approval.

An application was next read from the Chairman of the School Board at Yale dated 18th August asking the Government to sanction a compulsory tax of \$2 per head on all the adult Males in the Yale District which it was agreed should be sanctioned for limits previously fixed viz.: within a radius of two miles from the Court House.

An application dated 17th September was next read from the Revd. A. C. Garrett enclosing a Petition from Comox praying that District be converted into a School District. When it was agreed the prayer of the Petition be granted, and further that they be informed the usual grant at the rate of \$500 per annum be allowed them on their submitting the name of their Teacher for approval.

A letter was next read from the Chairman of the Pilot Board dated 13th August, Submitting for approval the following alterations to Rules and Orders for the Regulation of Pilots.

To be numbered 8a.

"Qualified Pilots speaking Vessels outside the Pilot Grounds, and their services being declined shall be entitled to half Pilotage both inwards and outwards from such Vessels spoken, provided that the Pilots claiming such Pilotage shall offer their services at the Port of Lading to take the ship to sea, if required thereby becoming entitled to full, or half Pilotage as the case may be, the Pilot first speaking Vessels, outside the Pilot ground, having the preference, over local, or other Pilots, and in order to define the words, "outside Pilot Ground" it is resolved by the Pilot Board that they shall be taken to mean "inside Cape Flattery", in Straits of Juan de Fuca, Straits of Haro and Straits of Georgia and the Channels between such Straits.

To be numbered 17.

Pilots taken to Sea on board any Vessel against their wish, shall be entitled to claim from the Master, or Owner of such Vessel the sum of \$5 per diem, until the day of their arrival at the Port of Victoria Vancouver Island British Columbia, and shall also, in addition to the above, be entitled to the amount of their expenses back to the same Port.

A letter was then read from the Acting Magistrate at New Westminster, enclosing a list of the Government Stores at Sapperton, when it was ordered the list should be referred to the Chief Commissioner of Lands & Works, to report if any, and which of the articles could be usefully retained for Public Service.

A letter was next read dated October 6th from the President of the Municipal Council at New Westminster requesting that the Government would receive repayment of the sum of \$2000 which had been advanced to the Council to enable them to purchase certain Bonds by instalments at the rate of 50 per cent of the amount now due, when it was decided that the letter be referred to the Attorney General and Chief Commissioner of Lands and Works for their report, on the arrangements which would be desirable in respect of the proposal of the Municipal Council.

A letter was then read from the Magistrate in Cariboo, requesting permission to purchase the library building at Barkerville, when it was directed that Mr. Brew be acquainted that in the existing condition of the finances of the Colony, the Governor does not feel at liberty at present to place any sum for this purpose on the Estimates.

The Governor then read a despatch from the Secretary of State, dated 14th August relative to the incorporation of the Colony of British Columbia, with the Dominion of Canada.

The Council after considerable discussion on this subject adjourned.

Read and confirmed.

(Signed) A. Musgrave
Governor

Wednesday, the 1st day of December, 1869

The Council met at Noon.

Present: The Honbles. The Colonial Secretary (Presiding), The Attorney General, The Chief Comr. of Lands & Works, The Collector of Customs.

The Colonial Secretary informed the members of Council, he had been directed by the Governor, (who was in consequence of illness)³⁶ unavoidably absent, to request a meeting of the members, to afford him their advice, in determining whether the extreme sentence of the Law should be carried into effect in the cases of three Indians, who were tried for murder and convicted before Chief Justice Begbie at the late Assizes on the mainland.

Chief Justice Begbie, who had been requested to attend the meeting, was then introduced and his notes on the trial were read, when having expressed his opinion he retired.

In the case of the Indian known as "Charley" alias "George" for the murder of Alfred Perry known as "Mountaineer Perry" it was unanimously agreed by the Council, that there existed no reason why the extreme penalty of the Law should not be carried into effect.

In the case of the Indian known as "Peter" for the murder of Patrick O'Brien Murphy in 1861, the Council with the exception of Mr. Crease, were of opinion that the evidence appeared so unsatisfactory and contradictory, that they would not be justified in recommending the extreme penalty of the Law should be carried into effect.

Mr. Crease in the case of "Peter", considered him guilty, but under the circumstances of the case, would not recommend that the extreme penalty of the Law should be carried out.

Chief Justice Begbie thought the evidence unsatisfactory, and suggested the Prisoner might be kept in custody until steps were taken to elicit further evidence.

In the case of the Indian "Mootsack" for the attempted murder of John Alway, the Council were of unanimous opinion as to his guilt. The Colonial Secretary and Chief Commissioner of Lands & Works, considered he was as deserving of death, as any Indian who had ever been hanged in British Columbia, and although it has been the practice in England within the last 12 years (as they were informed by the Chief Justice Begbie) that the sentence of death should not be carried out, unless life had actually been taken, yet they were of opinion, that the circumstances of this Colony, do not call for a strict adherence to that practice, and especially in this particular case, in which it appears to them, an example should be established, to deter others from such an act of Treachery.

³⁶ Musgrave was thrown from his horse and broke his leg. Presumably the last paragraph of the minutes for this day was added afterwards, probably when Musgrave confirmed them from his bed in Government House. The meeting on 1 December 1869 was held in the Government Buildings, James Bay. The Council continued to meet at Government House until it resumed sittings at the Government Buildings on 12 October 1870.

The Attorney General saw no reason for interfering with the sentence of the Court.

The Collector of Customs agreed that there was no doubt as to the guilt of Mootsack, and judging by the evidence would say he was deserving of death, but under the circumstances of the case would not recommend the extreme sentence of the Law should be carried into effect.

The foregoing Minute being submitted to the Governor His Excellency concurred in the opinion expressed by the Council in the cases of the Convicts known as "George" and "Peter".

With regard to the third case of the Boy "Mootsack" His Excellency stated, that notwithstanding the opinion of the Council he found himself unable to regard it as one in which the extreme penalty should be inflicted, when according to the present state of the English Law, the sentence of death, would not be carried into effect in such a case in England. He regarded it as dangerous to admit the principle even with regard to the conduct of offenders from among the White population, that a different standard from that prevailing in the Mother Country should govern the Administration of Criminal Law in this Colony. Painful instances had already come under his notice as a disposition to regard as venial offences in the case of White men, acts which would have incurred Capital punishment in the case of Indians.

Moreover the lad "Mootsack" had himself confessed his crime, before he had been accused, and the manner and circumstances of its Commission, as well as the absence of any previous Malice or motive, suggest strongly the suspicion of Insanity in the Prisoner's Conduct. And life had not actually been taken.

The Governor stated that under all these circumstances of the case he should commute the sentence to Imprisonment for Life with hard labor, and he understood the Chief Justice to agree with him in the propriety of this course.

Confirmed this 10th day of January.

(Signed) A. Musgrave
Governor

Tuesday, the 7th day of December, 1869

The Council met at Government House at 11.30 a.m.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs.

The Governor read a Despatch from the Secretary of State No. 82 of the 9th August 1869 stating that the Petition forwarded by the Legislative Council of British Columbia relative to the present unsatisfactory condition of the Courts of Justice in British Columbia had been laid before the Queen and that Her Majesty had been pleased to receive it very graciously.

The Governor then read several other despatches relative to the position of the Supreme Courts, which were discussed at length.

It was then ordered that the following Memorandum should be placed on record, on the Minutes of the Executive Council.

Until the Secretary of States despatch No. 40 of 26th March 1868 was read to us by His Excellency Governor Musgrave we had no idea such a despatch existed.

2. The only Despatches from the Secretary of State, on the sketch Ordinance relating to the Judiciary, with which we had been made acquainted, were No. 81 of November 13th 1867 and No. 94 of October 25th 1868, and judging from the tenor of these despatches, and from all that was communicated to us on this subject, by the late Governor Seymour in Executive Council, and otherwise, we had every reason to suppose that it was the desire, and intention of the Imperial Government, that the sketch Ordinance transmitted by the Secretary of States Despatch of the 13th November 1867 No. 81 should be enacted without material alteration, or amendment whatsoever.

3. With this understanding, when called upon in Executive Council, in the early part of this year for our opinion, as to whether the sketch Ordinance sent out by the Secretary of State should be made a strictly Government measure in the Legislative Council, we could not hesitate to advise that such a course should be adopted, believing as we did that by that means only, could the Secretary of States directions be carried into effect. And having been led to suppose that on the passage of this measure, we might expect the direct intervention of the Imperial Government to relieve us from the embarrassment which has resulted from the existence of two Chief Justices in the United Colony.

4. Had we been aware at that time of the views which had been expressed on this subject in the Secretary of State's Despatch No. 40 of 26th June 1868, we certainly should not have advised, that a measure, which was not, in our opinion, fully adapted to the requirements of the Colony, and to the harmonious working of which, peculiar circumstances appeared to present great practical obstacles, should be forced in its entirety, upon a Legislative Council, known to be almost unanimously opposed in opinion, to its passage, unless amended in some material points.

5. It is much to be regretted that the Legislative Council was not allowed the opportunity of making such alterations, and additions as the Secretary of State expressly states, this Bill might be expected to require; the special local knowledge of members of the Legislative Council, could most aptly have suggested and framed amendments which would have so modified the Bill, as in their opinion to have rendered it more likely to secure the object it was intended to effect and therefore [less] objectionable to the community.

6. As it was, however, The Secretary of States views were not communicated to a single member (as we believe) of that Council and the Bill was passed as sent out from the Colonial Office by the votes of Official members only; carrying out, by so doing (as they supposed) the wishes and intentions of the Imperial Government conveyed to them by the Executive of the Colony.

Signed Henry Pellew Crease Atty. Genl.
J. W. Trutch Chief Comr. of L. & W.
W. Hamley Coll. of Customs

The Council then adjourned.

Confirmed this 10th day of January 1870.

Approved.

(Signed) A. Musgrave
Governor

[Note] Certified to be a correct copy of the Minutes of the Executive Council from 2nd July to 7th December 1869, being for the half year ending 1869. Philip J. Hankin, Colonial Secretary and Clerk of the Executive Council.

Friday, the 7th day of January, 1870

The Council met at the Government Buildings at 11.30 o'clock.

Present: The Honbles. The Col. Secy. (Presiding Member), The Attorney General, Chief Commissr. of Lands & Works, Collector of Customs.

The Presiding Member informed the Council he had been directed by the Governor, who was, through illness, unavoidably absent, to summon a meeting of the Council, to advise His Excellency, whether the extreme penalty of the Law should be carried into effect in the case of the Indian Meshek, condemned to death at the late assizes, held at Victoria, by Chief Justice Needham, for the murder of Archibald Campbell.

The notes of the Chief Justice were then read by the Council, also a letter from the Police Magistrate Enclosing a confession made by the Prisoner, subsequent to his conviction.

The Chief Justice was then introduced into the Council, and asked if he knew of any reason why the extreme sentence of the Law should not be carried into effect in the case of the Indian Meshek, for the murder of Archibald Campbell, when he replied, that, notwithstanding, the verdict of the Jury, he thought the evidence as it stood, at the Trial, did not remove the case sufficiently beyond doubt to justify the sentence of death being carried out, and that in passing the sentence he had told the Prisoner Meshek, that his life would probably be spared.

The Chief Justice was then shewn a full confession made by Meshek of his guilt, subsequent to the passing of sentence.

When he informed the Council, it was unprecedented in British Criminal Jurisprudence that any subsequent discovery of evidence should increase the severity of the sentence actually passed, and that the Confession he had just seen made no difference in his opinion.

The Chief Justice then retired.

On the question being put by the Presiding Member as to the advisability of recommending the Governor to carry out the extreme penalty of the Law; the Council were all clearly of opinion that the guilt of Meshek was unquestionable and, that from the evidence taken at the Trial, irrespective of his subsequent confession, he deserves death, but that, as the Chief Justice in passing sentence on him, stated that his life would probably be spared, they regret very much that the sentence of death cannot be carried out, believing, after the explanation, and as advised by the Attorney General, that with a qualification of that nature, forming part of the sentence, the infliction of the extreme penalty of the Law, would be inconsistent with British Jurisprudence.

The Council then adjourned.

The foregoing Minute having been submitted to the Governor, His Excellency expressed his concurrence in the opinion formed by the Board, and his intention to commute the sentence passed upon the Prisoner Meshek to penal servitude for Life.

Read & Confirmed this 10th day of Jany. 1870.

Approved.

A. Musgrave
Governor

Monday, the 10th day of January, 1870

Council met at Noon [at Government House].

Present: His Excellency the Governor and The Honbles. The Col. Secy., The Attorney General, The Chief Comr. of Lands & Works, The Collector of Customs.

The minutes of the last meeting were read and confirmed.

The Governor informed the Council he had received his Commission from England, as Governor of British Columbia, (he, hitherto having acted under a Lieutt. Governor's Commission).

The Honble. J. S. Helmcken, a member of the Legislative Council was introduced, duly sworn as a member of the Executive Council, and took his seat.

The Customary oath of office was then administered to the Governor by the Senior Member.

The Governor's instructions, & Commission were then read by the Clerk of the Council.

A letter from Mrs. Ogilvy, dated Dec. 6th 1869 was next read, requesting the continuation of her Pension of \$485 a year, which was granted her in consequence of her husband having been killed while in the Execution of his duty.

It was agreed that the Legislature be asked to vote a continuation of the Pension, and that the same be placed on the Estimates.

After some general discussion on the subject of the Estimates for 1870, and an understanding at the Governor's request, that the members would meet at an early day, for further discussion of the same.

The Council adjourned.

Read & Confirmed that 17th day of Jany./70.

A. Musgrave
Governor

Wednesday, the 26th day of January, 1870

Council met at Govt. House.

Present: His Excellency the Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs, J. S. Helmcken.

An application from the Chairman of the Local Board of Cedar Hill School District, dated October 22nd was first read, requesting the approval of Mr. Colin Campbell McKenzie as teacher for the School. Appointment approved.

An application from the same Board was read requesting a grant of \$500 to assist in Building a suitable School House. Application declined.

A letter was then read of November 10th from Mr. Manson secretary to the Local Board of Lake District School requesting approval of the appointment of Mr. Harrison as teacher. Appointment approved.

Letter of 4th January was read from the Mayor of Victoria Enclosing a ByLaw to levy a tax of \$2 per head for the support of Victoria School. ByLaw approved & signed.

Letter of 5th January was read from Mr. Jackson Enclosing ByLaw for Cedar Hill School District.

By-Law approved and signed.

Letter of September 1st was read from Mr. Manson Enclosing ByLaw for Lake School District. ByLaw approved and signed.

A letter of 12th Jany. was then read, from the President of the Municipal Council of New Westminster, making a return shewing the average attendance at the School. Receipt to be acknowledged.

A letter was read from the Secy. of the School Board at Salt Spring Island submitting the name of Mr. Jones as Teacher for the School, and requesting a grant in aid of \$500.

Mr. Jones approved of as Teacher, and usual grant of \$480 allowed.

Some discussion then took place as to the amount which should be allowed to Each School District when it was decided that the Colonial Secretary be instructed to write to the various School Boards in the different Districts, informing them that a sum of \$480 would be given by the Govt. in aid of the support of the Schools in each District for the year 1870, subject to the provisions of the Common School Ordinance 1869, and the following districts were informed accordingly—Victoria, Nanaimo, Saanich, Lake, New Westminster, Yale, Lytton, Cedar Hill, and Salt Spring.

A Letter of 6th January was then read from the Mayor of Victoria, Enclosing the Municipal Estimates for the present year, and requesting the Victoria City $\frac{1}{2}$ per cent tax Act be amended, so as to Enable the City Council to tax Wharf Property, not exceeding the sum of one dollar per foot frontage.

The Govr. in Council could not see the necessity of amending the Ordinance, and it was directed the Mayor be informed accordingly.

A letter of 15th November was then read from Mr. O'Reilly, forwarding a letter from Messrs. Cornwall, proposing to lease from the Govt. a tract of Land situate in Hat Creek Valley. Application granted at $3\frac{1}{3}$ cents per acre for the quantity of Land applied for in Hat Creek Valley, in accordance with the suggestions of the Chief Commissioner of Lands & Works.

The Council then adjourned.

Read and confirmed this 28th day of January 1870.

A. Musgrave
Governor

Friday, the 28th day of January, 1870

Council met at Government House.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, Chief Comr. of Lands & Works, Collector of Customs, J. S. Helmcken.

Minutes of the last meeting were read and confirmed.

The Estimates for 1870 were then laid before the Council, were discussed, & finally agreed to.

A letter of 6th December from the Chairman of the Pilot Board, Enclosing for approval Copy of a Resolution passed by the Pilot Board.

Decision deferred.

The Honble. Robert William Weir Carrall was then introduced into the Council, and having taken the necessary oaths of office, took his seat as a member of the Executive Council.

The Governor then laid before the Council a despatch dated [14 August 1869] from the Secretary of State for the Colonies on the subject of the Confederation of British Columbia with the Dominion of Canada. Discussion on the terms which it was proposed this Colony should enter the Dominion then took place.

The Council then adjourned.

Approved.

Governor

Jany. 31st³⁷

Febr. 1st

Febr. 3

Feb. 4

Feb. 5

do 7

do 9

do 11

do 12

During the above days the Council met at *Government* House for the discussion of Confederation.

P.J.H.

³⁷ Unfortunately the only minutes of these meetings appear to be those of February 9 and 12 below, which contain the draft terms of confederation agreed to by the Executive Council. From the original Minute Book, PABC, it seems unlikely that any other official record of these meetings was kept.

Wednesday, the 9th day of February, 1870

Council met at Noon.

Present: His Excellency the Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Comr. of L. & W., The Collector of Customs, J. S. Helmcken, R. W. Carrall.

The question of confederation being again brought before the Council, discussion took place thereon when it was agreed The following terms should be proposed for the acceptance of the Legislative Council.

Resolved That it is Expedient the Colony of British Columbia should be confederated with Canada on the following terms, and conditions, That is to say,

1. Canada shall be liable for the debts, and liabilities of British Columbia, existing at the time of the Union.

2. The Population of British Columbia, shall, for the purpose of Financial arrangements be estimated at 120,000. British Columbia not having incurred debts equal to those of the other provinces now constituting the Dominion shall be entitled to receive by half yearly payments in advance from the General Government, Interest, at the rate of 5 per centum per annum on the difference between the actual amount of its indebtedness at the date of Union, and the proportion of the Public debt of Canada, for 120,000 of the population of Canada, at the time of Union.

3. The following sums shall be annually paid by Canada to British Columbia, for the support of the Local Government, and Legislature, to wit,

An annual grant of \$35,000, and a further sum equal to 80 cents a head per annum of the population, both payable half yearly in advance, the population of British Columbia being estimated as aforesaid at 120,000.

Such grant equal to 80 cents a head to be augmented in proportion to the increase of population, when such may be shewn, until the population amounts to 400,000, at which rate such grant shall thereafter remain.

4. The Dominion shall guarantee Interest at the rate of 5 per centum per annum on such sum not exceeding £100,000 as may be required for the construction of a first class graving Dock at Esquimalt.

5. In addition to the other provisions of this resolution, Canada shall assume, and defray the charges of the following services.

(a) Salary, and allowances of Lieutenant Governor.

(b) Salaries, and allowances of the Judges, & Officers of the Supreme Court, and of the County Courts.

(c.) The charges in respect of the Department of Customs.

(d) The Postal department.

(e) Light Houses, Buoys, Beacons, and Lightship, and such further charges as may be incident to, and connected with the Services, which, by the British North America Act 1867, appertain to the General Government, and as are, or may be allowed to the other provinces.

6. Suitable Pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's Servants in the Colony, whose position, and emoluments derived therefrom would be affected by Political changes on the admission of this Colony into the Dominion of Canada.

7. The Dominion Government shall supply an efficient, and regular fortnightly steam Communication between Victoria, and San Francisco by Steamers adapted, and giving facilities for the conveyance of passengers, & Cargo.

8. Inasmuch as no real Union can subsist without the speedy Establishment of Railway Communication connecting the Sea-Coast of British Columbia with Canada, The Govt. of the Dominion shall engage to use all means in her power to complete such communication at the earliest practicable date, and that surveys to determine the proper line for such Communication shall be at once commenced, and a sum of not less than one million dollars expended, in every year from, and after three years from the date of Union, in actually constructing the Initial Sections of such line from the sea-board of British Columbia to connect with the Railway system of Canada.

9. The Dominion shall erect, and maintain at Victoria, a Marine Hospital, and a Lunatic Asylum, either attached to the Hospital, or separate as may be considered most convenient. The Dominion shall also erect, and maintain a Penitentiary, or other principal Prison at such place in the Colony as she may Consider most suitable for that purpose.

10. Efficient Coast Mail Steam service in Connection with the Post office shall be established and maintained by the Govt. of the Dominion between Victoria, and New Westminster, Nanaimo, and such other places as may require such services.

11. Whatever Encouragement, advantages, & protection are afforded by the Dominion Government to the Fisheries of any of its Provinces, shall be extended in similar proportion to British Columbia, according to its requirements for the time being.

12. British Columbia shall participate in fair proportion in any measures which may be adopted, and funds which may be appropriated by The Dominion for the encouragement of Immigration.

13. British Columbia shall be entitled to be represented in the Senate by four members, and by eight members in the House of Commons until the year 18—, and thereafter, the representation in the Senate and the House of Commons shall be increased, subject to the Provisions of the British North America Act 1867.

14. The Union shall take effect on such day as Her Majesty by Order in Council (on an Address to that effect in terms of the 146th Section of the British North America Act 1867) may direct, and British Columbia may in such address specify the Districts, Counties, or Divisions, if any, for which any of the Four Senators to whom the Colony shall be entitled, shall be named,—The Electoral Districts for which, and the time within which, the

first Election of Members to serve in the House of Commons of Canada shall take place.

15. The constitution of the Executive Authority and of the Legislature of British Columbia shall, subject to the provisions of The British North America Act 1867, continue as existing at the time of Union until altered under the authority of the said Act.

16. The provisions in The British North America Act 1867 shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to be, specially applicable to and only affect one and not the whole of the Provinces now comprising the Dominion, and except so far as the same way be varied by this Resolution) be applicable to British Columbia in the same way and to the like extent as they apply to the other provinces of The Dominion and as if The Colony of British Columbia had been one of the Provinces originally united by the said Act.

With reference to the subject of defences, it was agreed as follows:

(a). That it shall be an understanding with the Dominion that their influence will be used to the fullest extent to procure the continued maintenance of the Naval Station at Esquimalt.

(b). Encouragement to be given to develop the efficiency and organization of The Volunteer Force in British Columbia.

The Council then adjourned.

Read & Confirmed this 11th day of Feby. 1870.

A. Musgrave
Governor

Saturday, the 12th day of February, 1870

The Council met at Noon.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Comr. of L. & W., The Collector of Customs, The Police Magistrate at N.W., J. S. Helmcken, R. W. Carrall.

Minutes of the last meeting were read and confirmed.

A letter of 2nd Nov. 1869 was read, from the Chief Comr. of Lands & Works, relative to the disposal of certain Govt. Stores at Sapperton, and suggesting those which should be retained for the use of the Lands & Work's department, when it was decided the matter should be placed in the hands of the Chief Commissioner to be disposed of for the benefit of the Govt., retaining those articles which would be useful for the Public Service.

A letter of the 8th of Feby. was read from the Chairman of the Pilot Board, stating, that the Board entirely agree with the view expressed by the Governor in Council as to the special exemption from Pilotage charges of Steam vessels, plying regularly once a week, or oftener, between Victoria, and Ports on the Sound.

Ordered accordingly.

A letter was next read, dated 19th November 1869, from the President of the Municipal Council at New Westminster, enclosing a health Bye-Law for approval.

Assent thereto deferred.

A letter of the 6th December 1869, was then read from the Chairman of the Pilot Board, which was deferred from last meeting, enclosing for approval a copy of a resolution passed by the Board, and requesting its insertion in the Govt. Gazette.

When it was resolved, That it did not appear expedient to agree to the proposed alteration.

A letter was next read, dated 22nd January, from the President of the Municipal Council at New Westminster, enclosing copy of a report, which was laid before the Municipal Council at New Westminster, by a Committee of that body, appointed to consider the proposals contained in a letter from the Colonial Secretary of the 9th of December 1869, regarding Front Street, & the Municipal Debentures.

Decision deferred.

A letter of the 9th Feby. was read, from the President of the Municipal Council at New Westminster, enclosing School tax bye-Law 1870 for approval.

Ordered to be referred to the Atty. General for report.

A letter of the same date was also read from the President of the Municipal Council at New Westr., stating that unless the proposed yearly grant of \$480 be given to each School, the Council would be under the necessity of closing them, when it was decided that the President of the Council be informed, that, having due regard to the provision for other Schools, The Govr. in Council would be unable to increase the proposed yearly grant of \$480.

Upon discussion of the minutes of the 9th February, the following amendment was made, That in lieu of Paragraph 8, of the Confederation Resolutions of that date, the following Resolution was adopted, & ordered to be substituted.

8. Inasmuch as no Real Union can subsist between this Colony, and Canada, without the speedy establishment of communication across the Rocky Mountains by Coach Road, & Railway; the Dominion shall within three years from the date of Union, Construct, and open for Traffic, such Coach Road from some point on the line of the Main Trunk Road of this Colony, to Fort Garry, of similar character to the said Main Trunk Road, and shall further engage to use all means in her power, to complete such Railway communication at the earliest practicable date and that surveys to determine the proper line, for such Railway, be at once commenced, and that a sum of not less than one million dollars should be expended in every year from, and after three years from the date of Union, in actually constructing the initial sections of such Railway from the Sea-board of B.C. to connect with the Railway system of Canada.

The Council then adjourned.

Approved.

A. Musgrave
Governor.

Friday, the 1st day of April, 1870

Council met at Noon at Government House.

Present: His Excellency The Governor and The Honbles. The Attorney General, The Chief Comr. of Lands & Works, The Collector of Customs, The Police Magistrate N.W., J. S. Helmcken, R. W. Carrall.

A letter was read from the Police Mag. at Victoria, relative to the Sanitary Condition of the Indians, when it was decided that the Consideration of the subject be deferred, until some questions connected with Indians affairs have been settled.

A letter, dated March 1st, was then read from the President of the Municipal Council at N.W. stating they would not be responsible for any damage, or accident which may occur, from the unsafe state of Front Street. Consideration deferred.

A letter was then read of the 19th of Nov. from the President of the Municipal Council at New Westr., enclosing a health Bye Law for approval. After some discussion, the Council recommended that Action should be deferred until circumstances called for such a measure.

A Petition was then read from the inhabitants of Sapperton, requesting that Sapperton may be declared a School district, when the Governor in Council decided the prayer of the Petition could not be granted, as Sapperton was included in the New Westr. district, for which a grant of \$480 a year had been already made.

A letter dated 16th Feby. was next read from the Secy. to the Local Board of South Saanich School, forwarding a Bye Law for approval.
Approved & Signed.

A letter of 1st March was read from the President of the Municipal Council at New Westr., enclosing School Bye Law for approval. District named including Sapperton, two miles up, and two miles down from Lytton Square & ½ mile back from the Left Bank.

Bye Law approved and signed.

A letter of 5th March was read from Mr. de Cosmos [De Cosmos], enclosing a Petition requesting the creation of Cowichan as a School district.
Deferred for statistical information.

A letter of 25th of Feby. was read, enclosing a Bye Law for Langley School for approval.
Approved, and signed.

The following Limits, were assigned to the Langley School district.

Three miles from the School House at Langley, up the Fraser River, on both Banks, and 3 miles down in a right [perpendicular] line back from the River at each extremity, so as to include the Prairie Settlement.

His Excellency submitted the propriety of providing a Delegation to Canada to carry, and explain the B.C. terms, & to ascertain exactly the views of the Dominion Govt. on the subject.

Resolved unanimously to recommend the Governor to transmit a message to the Legislative Council, requesting them to empower him to incur such expenses for the above purposes as might hereafter be found necessary on behalf of the interests of the Colony.

The advisability of consolidating the Land Laws of the Colony, so far as circumstances admitted was discussed, when it was resolved that a Bill similar to that last introduced by the Govt. of B.C. to the Legislative Council, with personal residence as the test of pre-emption should be introduced this Session, & supported by the whole Council.

The Badge, or Provincial Symbol of British Columbia (on the flag of the Colony) was next adverted to, and the Executive Council consulted upon the choice of a Suitable Emblem.

After some discussion, and various suggestions, the consideration of the subject was deferred, until His Excellency had seen several designs.

The Resolution of the Legislative Council upon the subject of Road Tolls, and the proposed remission of all tolls, on home grown flour, bran, & shorts, coupled with amalgamation of Road toll Laws into one Statute were taken up.

Resolved, that the matter could not be dealt with during this session, as the Estimates for the year could not well be disturbed, or re-arranged, so as to meet the proposed remission of toll.

The vote of the Legislative Council to pay arrears of Claims of School Teachers in V.I. under a previous administration was considered.

Resolved, that, after the statements made by the Govt. to the Legislative Council, their recommendations should be complied with, with the exception therein named, But, that as there was no money to meet the vote, The reply should be sent, that such amount would be paid, as soon as the Govt. were in sufficient funds for the purpose.

The Council then adjourned.

Read and confirmed this 18th day of April 1870.

A. Musgrave
Governor

Monday, the 18th day of April, 1870

Council met at Noon.

Present: His Excellency the Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Comr. of Lands & Works, The Collector of Customs, The Police Magistrate at New West., J. S. Helmcken, R. W. Carrall.

Minutes of the last meeting were read and confirmed.

A letter dated 12th April from Mr. Judson Young was read, requesting six months leave of absence, three of which to be on full pay.

Leave granted accordingly.

A letter was next read, dated 10th March from the Secretary of the Emigrant and Colonist aid Corporation requesting, that Land upon the Lower Fraser should be granted to that Corporation upon the terms of a Prospectus which accompanied the application of 10th March, and referring to a letter dated 25th January, which had not been received for the necessary details of their offer, when the Council recommended the Governor to telegraph to the Secretary of the Society, stating that their previous letter of 25th January, which was referred to, had not been received.

His Excellency then brought before the Executive Council, the case of Mr. Thos. B. Humphreys', the member for Lillooet, and the recommendation of the Legislative Council, requesting Mr. Humphreys might be dismissed [from] the Council, when the Governor was recommended, as being important for the interests of the Public Service, to suspend Mr. Humphreys' forthwith, from his duties as a Legislative Councillor, until Her Majesty's pleasure in the matter should be known.

The Governor then brought before the Council the matter of the ways, and means for keeping up the Telegraph system on the mainland; after some discussion, the Governor was advised to send down to the Legislative Council, a Bill imposing an additional tax, of half a dollar a Gallon on spirits, which if adopted, it was understood should be substituted for the 2 per cent Bill before sent down.

The Council then adjourned.

Approved April 29th 1870.

A. Musgrave
Governor

Friday, the 29th day of April, 1870

Council met at Noon.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs, The Chief Comr. of Lands & Works, J. S. Helmcken, R. W. Carrall.

The minutes of the last meeting were read, and confirmed.

A letter of 28th April was read from Mr. Jessup [Jessop] making application for the office of School Inspector. Application refused.

A letter was read, dated April 25th from Mr. Williams (Government Printer) applying for six months leave of absence, Leave granted on half Salary, Mr. Williams having served more than six years continuously.

A letter of 5th March was read from Mr. de Cosmos [De Cosmos] (which was deferred from a previous meeting), Enclosing a Petition from the inhabitants of Cowichan, praying for the creation of a School District, in the Kokesilah Distt. when it was decided that as sufficient funds remained at the disposal of the Govr. from the School Grant, the prayer of the Petition be Complied with.

The Governor then brought before the Council for their consideration, the question of the maintenance of the Telegraph System on the Main Land, when it was decided the Chief Comr. of Lands & Works should telegraph to Mr. Lamb, the Company's Agent now in Washington Territory, requesting him to come to Victoria as soon as possible, for the purpose of completing the necessary arrangements for the transfer of the Telegraph line from Victoria to Cariboo, to the Government of British Columbia, and requesting him to come armed with all necessary powers.

The question of reviewing Barnard's Mail Contract for carrying the Mails between Yale, and Cariboo, was then discussed, when it was decided Tenders should be at once called for, for the performance of the work, to be sent in to the Col. Secy. office, by the 1st August.

A Circular letter of 23rd March was then read from the Secy. of State for the Colonies, requesting steps may be taken for preparing a General Census throughout the Colony, simultaneously, with that which will be taken in Great Britain, and Ireland in 1871. Consideration deferred.

The Governor read a despatch dated 16th March from the Secy. of State for the Colonies, relative to the School Ordinance 1869, and recommending for consideration, the amendment of the ordinance by the introduction of a Conscience clause.

The Governor also read a despatch from the Secy. of State for the Colonies, dated 23rd of Feby. transmitting a statement from the Crown Agents shewing the result of a proposed consolidation of the Public Debts of the Govt. of B.C.

A discussion then took place as to the appt. of a School Inspector, under the common School Amendment Ordinance, when it was decided that Mr. Alston be requested to perform that duty in Victoria, and the Magistrates in the different districts where Schools existed.

A letter was then read dated March 31st from the Secy. of the Local School Board at Comox submitting the name of Robert Coleman as teacher in the Common School.

Mr. Coleman approved subject to the approval of the School Inspector.

The Council then adjourned.

Read & Confirmed this 19th day of May 1870.

A. Musgrave
Governor

Thursday, the 19th day of May, 1870

Council met at Noon.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Atty. General, Chief Comr. of Lands & Works.

The minutes of the last meeting were read and confirmed.

Mr. Phillippo, Attorney General was then introduced, and having been duly sworn as an Executive Councillor, took his seat at the Council Board.

A letter dated 10th May was first read from the President of the Municipal Council at New Westminster, drawing attention to a former letter, enclosing a Health Bye Law, and requesting approval of the same, when it was ordered the Bye Law should be referred to the Attorney General for report.

A letter dated 14th May was then read from the Inspector General of Schools, submitting for the Consideration of the Governor in Council certain Rules, and Regulations, for the management of the Common Schools.

The same were read and approved.

A letter, dated May 6th was then read from the Chairman of a Public Meeting, held at the City Chambers Victoria, making application for a Government Grant of \$1500, for the Vic. Dist. Schools for the year 1870.

When it was decided that a grant of \$480, in addition to that previously granted, should be given, when it shall be proved to the satisfaction of the Governor in Council, that an amount Equal to the sum granted by Government, shall have been raised by the people themselves.

The Council then adjourned.

A. Musgrave
Governor

Saturday, the 9th day of July, 1870

Council met at Government House at 11.30 a.m.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs.

Minutes of the last meeting were read and confirmed.

A letter was first read dated 24th June from Mr. Justice Crease, enclosing Calendar of the Assize, just concluded at New Westminster, and his notes in the case of Regina vs. Hahammsek, who was found guilty of Wilful Murder, and sentenced to death, when it appeared there was no reason why the extreme sentence of the Law should not be carried into effect.

A letter dated 1st July was read from the Inspector of Schools submitting for approval the name of Mr. Alexander Peers, as Teacher for the School at

Chilliwack, and recommending a grant of \$200 be given towards the erection of a School House in that District when it was decided, that, as the inhabitants of Chilliwack had subscribed among themselves the sum of \$200 towards the erection of a School House, a like sum should be granted by the Government, and the name of Mr. Peers was approved as Teacher.

The Council then adjourned.

Tuesday, the 11th day of October, 1870

The Council met at Government House at 11.30 a.m.

Present: His Excellency the Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken.

A Despatch from the Secretary of State for the Colonies was first read dated 22nd August 1870, relative to the re-constitution of the Legislative Council, and enclosing an Order-in-Council, and an Act to make further provision for the Government of British Columbia.³⁸ The Order was then read passed by the Queen in Council for constituting a Legislative Council for the Colony of British Columbia.

A discussion then took place as the arrangements to be made for securing the orderly and effective conduct of the new election under the Order in Council, when the Attorney General was requested to draft the necessary Proclamation referring to the new Constitution.

The Council then adjourned.

Confirmed 12 October 1870.

(Signed) A. Musgrave

Wednesday, the 12th day of October, 1870

Council met at 3 P.M. at Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken.

Minutes of the last meeting read and confirmed.

The Proclamation relative to the new Constitution which the Attorney General had been instructed to prepare was then read to the Council, some discussion took place, several alterations were made, and it was then approved and adopted.

The Council then adjourned.

Confirmed 14th October 1870.

(Signed) A. Musgrave

³⁸ British Columbia, *Government Gazette Extraordinary*, 13 October 1870, pp. 1-3.

Friday, the 14th day of October, 1870

The Council met at 11.30 at Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken.

Minutes of the last meeting were read and confirmed.

A letter of 12th September was first read from the Inspector General of Schools, enclosing a Petition from the Inhabitants of Lillooet, praying a School might be established in that place.

Petition granted.

A letter was then read dated 19th September, from the Chairman of the Local Board of the Craigflower School District, requesting some assistance towards repairing the Craigflower School House. On the recommendation of the Inspector General of Schools a grant of \$75 was allowed towards the repair of the School.

A letter was next read dated 20th September from the Inspector General of Schools, enclosing copy of the minutes of two public Meetings held at Esquimalt, for the purpose of establishing a School there, and requesting they might be allowed the usual yearly grant of \$480, when it was decided on the recommendation of the Inspector of Schools that the usual grant of \$480 towards the salary of a Teacher be allowed and that the necessary steps be taken for the Election of a Local Board in accordance with the Common School Ordinance.

A letter of 12th September was then read from the Inspector of Schools, enclosing a letter from the Langley School Board, requesting assistance towards completing their School House. On the recommendation of the Inspector of Schools, a grant of \$130 was allowed, and the attention of the School Board was to be called to the necessity of their obtaining a proper title for the Land on which the School House is built.

Several Postal tenders for the conveyance of Mails between Yale and Cariboo were then opened and read.

The first from Mr. F. J. Barnard dated October 1st offering to carry a weekly Mail by Coaches drawn by Patent India rubber tire Road Steamers, on consideration of a Subsidy being granted him of Thirty two thousand dollars per annum, when after some discussion on the subject the Governor was advised not to submit to the Legislature an estimate for so large a subsidy; The offer was therefore declined.

The next Tender read was from E. Pearson & Bros., offering to convey the Mails by a Two Horse team for 3 years for the sum of \$40,000.

The third was from Mr. F. J. Barnard offering to perform the same service by 4 horse Coach for 3 years for \$48,000.

The next read was from Messrs. Gerow & Johnson offering to perform the same service for one year for \$13,000.

This being the lowest Tender, and the sureties being considered responsible parties, it was decided that the Tender made by Messrs. Gerow and Johnson be accepted, and the Colonial Secretary was instructed to write to them accordingly, and to cause the Contract for the due performance of the work to be prepared and signed with as little delay as possible.

A discussion then took place in reference to the repairs of Front Street New Westminster and a letter of 10th May from the President of the Municipal Council was read when it was decided that the Municipal Council be informed the Government were not in a position to comply with their request by transferring to them the Water frontages, and the Colonial Secretary was instructed to write to the President to that effect, stating that the former proposal made to them by letter of the 9th December must be considered final.

The Governor then read a despatch dated 11th July from the Secretary of State relative to the suspension of Mr. Humphreys Member of the Legislative Council stating that if the Council were still unwilling to accept the apology tendered by him, Her Majesty's Government would have no hesitation in confirming his suspension.

The Council then adjourned.

Confirmed this 18th Oct. 1870.

(Signed) A. Musgrave
Governor

Monday, the 17th day of October, 1870

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken.

Minutes of the last Meeting read and confirmed.

The Governor brought before the Council the desirability of accepting a proposition made by the Manager of the Bank of British Columbia to advance to the Government One hundred thousand Dollars at 10 per Cent Interest for the purpose of paying off some of the Temporary Loans made to the Government.

Much discussion took place thereon, and the matter was finally postponed pending a reference to the Agent of the Colonial Securities Company as to whether the Company would Consent to a reduction in their present rate of Interest.

The Council then adjourned.

Confirmed this 21st day of November 1870.

Governor

Monday, the 21st day of November, 1870

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken.

Minutes of the last meeting read and confirmed.

The Governor again brought before the Council the question which had been discussed at the last Meeting and which had been postponed pending a reference to the Agent of the Colonial Securities Company relative to the offer made by the Manager of the Bank of British Columbia to advance to the Government \$100000 at 10 per Cent interest for the purpose of paying off some of the temporary Loans.

The Governor having laid before the Council the reply which had been received from the Colonial Securities Company in which the Company claimed six Months Notice should be given before the redemption of their Bonds as had been promised by Colonial Secretary's letter of 21st December 1866.

Much discussion took place on the subject, when the Governor was advised that under the circumstances of the case and considering the probable near approach of Union with Canada, the Council did not consider it expedient to alter existing arrangements.

A letter was then read from the Chief Commissioner of Lands & Works dated 1st November enclosing copy of one addressed to the Government from Mr. C. S. Stewart Bailey, Secretary to the Emigrant and Colonist Aid Corporation Society in reference to the overtures to aid immigration into this Colony: when the Colonial Secretary was instructed to reply to Mr. Bailey that the propositions made by the Society could not be entertained.

A letter was next read from the Secretary of the Local School Board at Esquimalt dated November 2nd requesting a Government Grant of \$50 towards the repairs of their School House.

Granted on the recommendation of the Inspector General of Schools.

The Governor laid before the Council a Circular Despatch from Lord Granville, which had been postponed from a previous meeting relative to the expediency of taking a general Census in the Colony for 1871, when the Council advised that under existing circumstances it would not be desirable to cause the census to be taken.

The Governor then read a Circular Despatch from the Secretary of State dated 17th October 1870 relative to compulsory vaccination, when after some discussion thereon the Council came to the conclusion, that in the case of Indians, compulsory vaccination could not be adopted, but the Colonial Secretary was instructed to write to the Mayors of Victoria and New Westminster, and to the Magistrates in the various Districts, calling their attention to the existence of Small Pox in the neighbouring territory of Oregon, and urging them to take

all necessary precautions for the prevention of the introduction of this contagious disease.

A report from Mr. Lamb on the past expenditure on account of the Telegraph Line on the Mainland with estimates for the same in 1871 and forwarded by the Chief Commissioner of Lands & Works to the Governor, with recommendations as to the purchase of Mr. Buie's Interest in the line between Quesnelle Mouth and Barkerville was brought before the Council, and the necessity of completing and maintaining the Line from Victoria to Barkerville having been agreed to the suggestions of the Chief Commissioner were approved of.

The Council then adjourned.

Confirmed 28th November 1870.

(Signed) A. Musgrave
Governor

Monday, the 28th day of November, 1870

Council met at Noon Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken.

A letter from the Chief Justice dated 21st November was first read transmitting Notes of Evidence at the trial of "Tom" an Indian convicted at the late Assizes for the murder of Robert Clarke at Plumper Pass on the 6th July last. The Judges Notes having been read, The Council were asked if in their opinion they saw any reason why the extreme sentence of the Law should not be carried into effect, when after due deliberation, The Governor was advised to suspend for the present, the extreme sentence of the Law, until "Tom" (reprieved of the purpose) should have an opportunity of proving an alibi, which it had been stated he was unable to do, and the Police Magistrate was to be instructed to endeavour as quietly as possible to make enquiries as to the truth of such statements.

Another letter from the Chief Justice dated 24th November was then read enclosing Notes of Evidence with observations thereon taken at the Trial of "Jim", an Indian, for the murder of James Hamilton near Nanaimo on the 18th September; The Judges Notes having been read by the Council, they were unanimously of opinion there was no reason why the extreme sentence of the Law should not be carried into effect; in which opinion the Governor fully concurred.

A report from the Assistant Colonial Secretary relative to an inspection made by him at the request of the Governor of the Victoria Hospital was read to the Council, and certain suggestions made therein, as to improvements in the Building &c. were discussed when it was finally agreed that a sum of \$500 be placed on the Estimates for present necessary repairs.

A letter of November 17th was next read from Messrs. Brown and Gillis, consenting to take the sum of \$2000 as quittance in full of their claim against the Government for certain land at Quesnelle Mouth which they had pre-empted, and which had been re-assumed by the Government, when it was decided the letter be referred to the Attorney General with instructions to draft the necessary release from Brown & Gillis to the Government satisfying himself that they have clear in the first instance their release from their Creditors when it was decided the sum of \$2000 should be paid them.

The Council then adjourned.

Confirmed this 15th of December 1870.

(Signed) A. Musgrave
Governor

Tuesday, the 13th day of December, 1870

Council met at Noon at Government Buildings.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner, The Collector of Customs, J. S. Helmcken.

Minutes of the last meeting were read and confirmed.

Council engaged in discussion of the Estimates for 1871.

4 P.M. Council adjourned.

Read and confirmed 15th day of December 1870.

(Signed) A. Musgrave
Governor

Thursday, the 15th day of December, 1870

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner, The Collector of Customs, J. S. Helmcken.

Minutes of last Meeting were read and confirmed.

The Council resumed the discussion of the Estimates for 1871, and several alterations were made.

The question of the desirability of retaining the Assay Office was then discussed and it was finally decided that as there was no absolute necessity for the continued maintenance of that Department and as its expenditure far exceeded its revenue; Messrs. Claudet & Hitchcock (the Assayers) be communicated with, and informed, that although the sum necessary for the maintenance of

their Department would be placed on the Estimates for 1871 yet, at the same time there was no probability of their services being retained under Confederation, and it was directed they should be notified accordingly.

A letter was then read from Mr. Spalding the Magistrate at Nanaimo, dated 30th November, requesting an increase to his Salary, when it was agreed that in framing the Estimates for 1871, the Salary of the Magistrate at Nanaimo should be made equal to the Salary of the Magistrate at Victoria and the Colonial Secretary was instructed to acquaint Mr. Spalding accordingly.

Read and confirmed this 19th day of December 1870.

(Signed) A. Musgrave
Governor

Monday, the 19th day of December, 1870

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner, The Collector of Customs, J. S. Helmcken.

Minutes of the last Meeting were read and confirmed.

A report from the Police Magistrate was read, relative to the Indian "Tom" who was under sentence of death for the murder of Robert Clarke at Plumper Pass and who had been reprieved pending certain enquiries, when it was decided there no longer remained any reason why the extreme sentence of the Law should not be carried into effect.

Some further discussion on the Estimates took place, and the Council then adjourned.

Read and confirmed this 21st day of December 1870.

(Signed) A. Musgrave
Governor

Wednesday, the 21st day of December, 1870

The Council met at Noon Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner, The Collector of Customs, J. S. Helmcken.

An application was read from Alexander Smith and John Evans dated 29th November for a pastoral lease of land at Matsqui for a term of ten years.

An application was then read from Saml. Robertson dated 9th December, for a pastoral Lease of land for five years of the first Island above Langley in the Fraser River.

An application was next read from Messrs. Chadsey Miller & McGilvray dated 12th November for a pastoral lease of land at Sumass.

An application was then read from Thomas Yorke dated 12th December for a pastoral lease of land for 10 years at Sumass containing 2000 acres.

The applications being approved of, The Chief Commissioner of Lands & Works was instructed to issue the Leases in accordance with his suggestions.

A letter from Dr. Ash dated December 8th was next read, suggesting that a portion of the Indian Reserve or the Lands near Ogden Point might be made available for the purposes of a new Cemetery when it was decided Dr. Ash should be acquainted that the Government were not prepared to purchase any Land for the purpose alluded to, neither to assign any portion of the Lands proposed by him, and further that the disposition of Land for Public Cemeterys appeared by the Municipal Act to be more immediately under the jurisdiction of the Mayor and Council.

The Council then adjourned.

Read and confirmed this 24th day of December 1870.

(Signed) A. Musgrave
Governor

Saturday, the 24th day of December, 1870

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner, The Collector of Customs.
Minutes of the last Meeting were read and confirmed.

The Governor brought forward for discussion and consideration by the Council the expediency of a change in the present constitution of the Legislature, thereby in accordance with the understood wishes of the community, to aid them in obtaining responsible Government, so soon as practicable after the incorporation of this Colony with the Dominion of Canada and after much discussion on the subject it was finally agreed that an Election Law should be prepared and submitted for the consideration of the Legislative Council.

The Council then adjourned.

Read and confirmed this 6th day of January 1871.

(Signed) A. Musgrave
Governor

[Note] Certified to be a correct copy of the Minutes of the Executive Council for the half year ending December 1870.

Philip J. Hankin
Colonial Secretary & Clerk to
Executive Council

Saturday, the 21st day of January, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last Meeting were read and confirmed.

A letter was read dated 29th December from the Honble. R. W. W. Carrall (Member for Cariboo) forwarding a Petition praying that Cariboo may be created into a School District.

Prayer of the petition granted on the election of a Local Board, and due compliance with the terms of the School Act.

A letter of 10th January was read from the Inspector of Schools relative to a petition from certain persons at Yale, asking for the removal of the Teacher and stating from information received he was of opinion that the present Teacher was perfectly competent and that the statements made in the Petition were not founded on fact—when it was decided the Local Board should be acquainted accordingly.

A letter of 13th January was next read from the Secretary of the Local School Board at Victoria requesting a sum of \$480 be paid to the Board which had been promised by the Government in aid of the Schools, on condition of the Board raising a like amount.

The Inspector of Schools having satisfied himself that the statement made was correct, the application was granted.

A letter was next read from the Magistrate at Nanaimo forwarding an application from the Local School Board in that District for the School room to be put in repair to the amount of \$156 at the expense of the Government. Granted on the recommendation of the Inspector of Schools.

A letter of 10th January from the Inspector of Schools was read requesting a decision by the Governor in Council relative to the appropriation of the Education Grant, when it was decided to acquaint the Inspector that the Executive Council were not prepared to recommend so important a deviation from the principle of the Education Ordinance and that the Governor concurred in their opinion.

A letter dated 13th January was read from the Victoria School Board; also letters from the Inspector General of Schools relative to a revision of the present School system, when it was agreed the Board should be acquainted that the Executive Council were not prepared to recommend an important deviation from the principle of the Education Ordinance which leaves the manner of

supporting the Schools to be arranged in any one of three modes in accordance with the wishes of the residents.

The Council then engaged in the discussion and preparation of a Bill for the introduction of Responsible Government.

The Council then adjourned.

(Signed) A. Musgrave
Governor

Monday, the 23rd day of January, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Council were engaged in the discussion of a new Constitution Act introducing Responsible Government.

Council adjourned.

(Signed) A. Musgrave
Governor

Tuesday, the 24th day of January, 1871

Council met at the Government Buildings at 8 P.M.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Council engaged in the discussion of a new Constitution Act for the introduction of Responsible Government.

Council adjourned.

(Signed) A. Musgrave
Governor

Friday, the 27th day of January, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

A letter of 26th January was first read from Messrs. Nelson and Woodcock relative to a Charter being granted them for a Pack Trail from the Skeena River to Lake Tatlah.

Also a letter from the same parties of the 21st December, offering on certain conditions to open a trail from a point on Skeena River between the Aquilgate and the junction of the Skeena to Tatlah Lake, when it was after some discussion on the subject decided that tenders for the above work should be called for, and the Chief Commissioner of Lands & Works was instructed accordingly.

A letter was next read dated 18th January from Messrs. Drake Jackson & Aikman, on behalf of Messrs. Farron and Madden for a Government Grant for 10 years for the exclusive right of Ferry-age of the Babeen River when it was decided this also should be performed by Contract, and the Chief Commissioner was instructed to call for Tenders accordingly.

The Council then engaged in discussing the new Constitution Bill.

The Council then adjourned.

(Signed) A. Musgrave
Governor.

Wednesday, the 1st day of February, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last Meeting were read and confirmed.

A letter was first read from Mr. Wyllie of San Francisco dated January 19th preferring a claim to be employed in the adjustment of the Real Estate Tax Sales difficulty when the Council recommended the services of Mr. Wyllie be obtained for that purpose he having formerly held the Office of Assessor in this Colony.

The Governor then read a resolution of the Legislative Council requesting a Bill be sent down by the Government to amend the Fire Companies Aid Ordinance, by taxing all the Insurance Companies doing business in Victoria at the rate of \$300 per annum for the benefit of the Fire Departments, when the Attorney General was instructed to prepare the necessary Bill accordingly.

Also a resolution of the Legislative Council requesting a Bill be sent down by Government to remit the Road Tolls on Flour made from Colonial grown Wheat, when the Attorney General was instructed to prepare a Bill accordingly.

The Governor then read to the Council a Despatch from Lord Lisgar, dated 9th January enclosing an approved Minute of the Privy Council of Canada relative to the Positions of Public Officers in this Colony, whose positions may be effected by Political changes on Confederation.³⁹

³⁹ A copy of Lord Lisgard's despatch is enclosed with other relevant communications between Musgrave and Lisgard in Musgrave to Kimberley, 9 February 1871, CO 60/43, pp. 44-68.

By permission of the Governor Mr. Trutch the Chief Commissioner of Lands & Works, then brought before the Council the fact of a sum of money amounting to \$885.97/100 due since year 1865, never having been accounted for by his Department, although twice before brought by him to the attention of the Government, and with which the lands and Works Department was still debited. When after hearing the explanation offered by the Chief Commissioner the Council were unanimously of opinion that the Chief Commissioner was in no way responsible for this deficiency, and advised that the amount should be written off in the Treasury Books, and the Governor concurring with the Council the amount was ordered to be written off accordingly.

The Council then adjourned.

(Signed) A. Musgrave
Governor

Monday, the 6th day of February, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last Meeting were read and confirmed.

The following Minute which had been prepared by a Committee of the Council for the consideration of the Governor General in Council of Canada relative to the positions of certain public Officers in this Colony whose positions and emoluments might be affected by Political changes on Confederation was then read and adopted.

The Committee of the Executive Council of the Colony of British Columbia, have had under consideration a Despatch, dated 9th January 1871 from Lord Lisgar enclosing an approved Minute of the Privy Council of Canada, on the subject of ensuring Pensions, and due compensation to certain of the Officers of this Colony in the event of the Union of this Colony with Canada. The Committee regret that the views of the Dominion Government as expressed in that minute, would bear a construction, which they feel sure taken in connexion with the proposed terms for Union together with the assurances which the Officers have received from His Excellency the Governor of this Colony could never have been intended viz.: That Officers, whose position and emoluments are affected by Union with Canada, are to have no option, as to whether they will accept pension or employment, and that if once employed, all claim to Pension is for ever to cease, but in a matter of so much importance to these Officers, the Committee deem it desirable that any question which may arise on this point, may be at once set at rest.

The Committee gather from the Minute of the Privy Council of Canada, that the Canadian Government consider that the following officers will be affected by Union viz.:

1. The Colonial Secretary
2. The Attorney General
3. The Commissioner of Lands & Works
4. The Collector of Customs
5. The Auditor General and
6. The Six Stipendiary Magistrates

and the Committee gather that the Canadian Government are prepared to retain the officers numbered 3-6 in their present situations, or similar ones whilst they seem

to be more doubtful as to finding suitable employment for the Colonial Secretary and Attorney General. Of the Officers named, the Colonial Secretary and the Attorney General and Commissioner of Lands and Works will doubtless be called upon to resign their offices immediately upon the introduction of Responsible Government and the whole Constitution of the present Executive Council will undoubtedly be changed. The Committee consider that Pensions ought in all cases to be provided as in accordance with the terms of confederation which state, that suitable Pensions, such as may be approved of by Her Majesty's Government are to be provided by the Dominion of Canada to all officers, whose position &c is affected by Political changes on Confederation, that such Officers should be at liberty to avail themselves of such Pensions if they choose, but, that if suitable employment is furnished to them either by the Dominion Government or by the Colonial Office, which they are willing to accept such Pensions should be suspended whilst they are drawing Salaries equal to or larger in amount than their present pay.

The Committee would represent that under present circumstances and supposing that Confederation with Canada was not in contemplation, Every Public officer would have some claim to be consulted before he was removed from this Colony, even in the way of promotion, and that it is not the practice of the Colonial Office to remove any officer against his will, unless for cause which would justify a dismissal, in case he declined to be removed, and that practically, all appointments which are confirmed by Warrant from the Crown are life appointments.

The Committee would also represent that they believe none of the officers would have cared at present to have been removed even in the way of promotion, except, possibly to some station of considerably increased honor, and emolument in some equally good climate.

The Commissioner of Lands and Works has considerable interests in the Colony, he has also some claims to consideration for retiring allowance, having served in his present office, for nearly 7 years.

The Collector of Customs is perfectly satisfied with his present position, giving him as it does, a seat in the Executive and Legislative Councils, and he has also served in his office for 12 years. The Auditor General has considerable private Interests in the Colony; he has also served in his office for about 8 years.

The six Stipendiary Magistrates are all perfectly satisfied with their present position and have all of them claims for consideration from length of Service. Everyone of them have served in the Colony for 12 years.

The Colonial Secretary would not care to remove, unless he got in some other Colony at a much larger income and greater chances of promotion.

The Attorney General came recently to the Colony, expressly on account of the climate having suffered severely whilst in the service of the Crown on the West Coast of Africa. He is allowed private practice and he estimates his income from that source at about £400 per annum.

The Officers being unwilling however to stand in the way of a scheme for the consolidation of a great British Confederation of all the British Provinces and Colonies in North America, have sunk all selfish considerations, and have loyally co-operated to the utmost of their ability, in bringing about so desirable a result.

The Committee therefore consider these officers should be treated in a liberal spirit, and they feel sure that it cannot be the desire of the Canadian Government, to treat them hardly or ungenerously, but that it is their desire, that they should be placed as nearly as possible in the same position as they are now, and will be, if Confederation does not take place, and that it is only necessary to point out, that under present circumstances they would have a choice as to accepting any other employment, or not, to induce the Canadian Government to carry out the assurances which have been conveyed to the officers that they should have the option of accepting or refusing a Pension, or an appointment.

If it is conceded that the officers should have the option of Pension or employment then the matter of suspension only during employment would naturally be conceded by the Canadian Government, for the protection of its own Exchequer. All or nearly all the officers as the Committee believe, would gladly accept what they considered suitable employment especially if it came in the shape of promotion, and increased pay and possibly in many cases would relieve the Canadian Government of any charge by death, whilst so employed, but if they are to lose all claim to Pension by accepting employment the Committee believe that every

Officer would prefer to claim his pension, at once and for life. The Committee would also suggest that in any Pension Act to be passed, the Canadian Government be asked to fix the amount that each individual office holder should receive, and although under the circumstances, the Committee consider that as the Officers, who are perfectly willing to continue in the discharge of their duties are to be removed from no fault of their own, but of their own free will, in order to carry out a scheme of National policy, and as they are no parties to any agreement for vacating their Offices, and have no wish to retire they might justly have looked for a continuation of their present Salaries, yet inasmuch as by the Minute of the Privy Council of Canada $\frac{2}{3}$ of the present emoluments of which he might be deprived—viz.:

Colonial Secretary	£600 per annum
Attorney General	£600 per annum
C. C. of L. & W.	£600 per annum
Collector of Customs	£600 per annum
Auditor General	£350 per annum

The Attorney General has private practice, as has been before stated, much of which is doubtless owing to the position he occupies, whilst the Collector of Customs sometimes receives considerable amounts as his proportion for vessels &c. seized for infringing the Customs revenue, and other Laws. If this be conceded, it will not make much difference to the finances of the Dominion of Canada, whilst it will make a very great difference to those Officers for whom no suitable employment could be found.

The Committee think that it will be conceded to be hard, if just as they have got their feet upon the ladder of promotion, that ladder should be withdrawn, and instead of going on increasing in position, and pay, they should be condemned for the rest of their lives from no fault of their own, not only to lose all chances of promotion, but to receive considerably less than they do at present.

The Committee would also suggest, that in case the Colonial Secretary and Attorney General, should obtain employment from the Colonial Office, as the Canadian Government seem to think possible, or in case any other Officer should be provided for by the Colonial Office, that a sufficient amount ought to be allowed to such officers to cover the expenses of their removal and in cases where the officer has come out from England to fill the office, and has been in the Colony but a short time the expenses to which they have been put in coming here from England.

(Signed) A. Musgrave
Governor

Wednesday, the 8th day of February, 1871

Council met at 11.30 A.M. at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Chief Commissioner of Lands & Works, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last meeting were read and confirmed.

A letter was first read, dated January 24th from Messrs. Drake Jackson and Aikman (Solicitors) relative to a claim on behalf of their clients Messrs. Allan Lowe & Coy. for £25, being a balance paid by them to the Government on certain Lands in the Cowichan District in the year 1869, when it was unanimously agreed that the balance of £25 claimed by Messrs. Lowe from the Government was clearly their due, and the money was ordered to be paid accordingly.

A resolution from the Legislative Council relative to the expenditure of a sum of money on the Giscome Portage for the purpose of opening a Trail to the Omineca Mines was brought forward by the Governor for discussion by the Executive, when it was agreed that the Chief Commissioner of Lands & Works be directed to obtain the services of a competent Engineer, and to instruct him to proceed by the earliest practicable opportunity to the Giscome Portage, in order to make a careful reconnaissance of the locality with authority to expend in opening the Portage, if he should deem it practicable a sum of money not exceeding \$10,000.

Two Tenders were then read from Robert Cunningham and William Woodcock respectively, the first from Mr. Cunningham agreeing to open a trail from the Forks of Skeena River to Babine River for a Charter to levy tolls for 5 years.

The 2nd from Mr. Woodcock agreeing to construct a trail for a 5 years Charter from Skeena River to Babine Lake which was accepted and the Chief Commissioner of Lands and Works was ordered to prepare the necessary Contract accordingly.

The Council then adjourned.

(Signed) A. Musgrave
Governor

Monday, the 20th day of February, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last meeting were read and confirmed.

A letter was first read dated 31st January from Mr. Ball, the Magistrate at Cariboo, reporting that on looking over the accounts of his Department for the years 1868-69 he had discovered that serious defalcations had occurred, and a large sum abstracted from the Revenue by Mr. Cochrane, late Clerk to the late Magistrate (Mr. Brew). Both these Gentlemen having since died, it was decided that the letter should be referred confidentially to the Auditor, with instructions with Mr. Ball for the purpose of ascertaining the amount, and particulars of the defalcation.

A Petition was then read from certain Miners of Omineca representing the necessity for a Gold Commissioner in that District, during the coming season, and requesting that Mr. Fitzgerald the present Constable there might be appointed to act in that capacity, when it was decided that Mr. O'Reilly from Yale should be detached for the purpose of visiting and reporting on the prospects of the Omineca District.

A letter was next read of 14th February from Mr. Pearse the Assistant Surveyor General, requesting some compensation for extra services imposed on him,

consequent on his being placed in charge of the Department during the absence of the Chief Commissioner from the Colony, when it was decided that Mr. Pearse should be acquainted the Chief Commissioner being absent on Public Service his half Salary is not disposable, and that it was not considered that an application to the Legislative Council would be successful.

A letter was then read of 13th February from the Inspector of Schools, submitting for approval the name of Mr. Glennie as a Teacher for the School at Hope which was approved on the recommendation of the Inspector of Schools.

A letter dated 9th January was next read from Mr. Elliott the Sheriff, enclosing a Declaration containing a Statement of the entire fees received by him for the year 1870, and requesting a sum of \$527.90 may be paid him, being the balance of the amount guaranteed by the Government, when the Council advised that the amount should be paid on the Governor being satisfied that the Sheriff has kept proper accounts of the fees received.

A letter dated 14th February was then read from Messers. Drake Jackson and Aikman on behalf of their Clients Messers. Farron & Madden applying for a Government Grant of the exclusive privilege of Ferriage for a term of 5 years over the Tatlah Lake, when after some discussion on the subject, the Council were of opinion, the proper course would be to advertise for Tenders for this Service, and the Lands & Works Department were to be instructed to prepare the necessary Tenders accordingly.

The Council then adjourned.

Confirmed this 6th day of March 1871.

(Signed) A. Musgrave
Governor.

Monday, the 6th day of March, 1871

The Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last meeting were read and confirmed.

A letter was first read from Mr. Pearse the Assistant Surveyor General dated 24th February requesting that in any arrangement that may be made upon the entrance of this Colony into the Dominion of Canada, he might be appointed Surveyor General with a salary of £500 per annum, when it was decided that Mr. Pearse should be acquainted that the Executive Council were not prepared to advise any increase to his Salary, but that the trifling difference in the Salary of the Chief Clerk of Customs would be added to Mr. Pearse's in any future arrangement.

A letter of 25th February was then read from Mr. Elliott the Sheriff, enclosing his accounts, and returns of Fees received by him, which he had been directed to send in for the information of the Governor in Council, when it was decided that no further payment could be made him, on behalf of the Government his accounts not being considered satisfactory.

The Governor then consulted the Council as to what, in their opinion, would be a fair remuneration to make to the Commissioners who would be appointed under the Tax Sale Repeal Amendment Ordinance, when it was decided that \$250 each would be sufficient.

A letter was next read dated 20th February from Messers. Drake Jackson and Aikman on behalf of Messers. Allan Lowe & Coy. requesting a Land Warrant may be issued to them, in lieu of a balance of £25 which was due them by the Government, for the purchase of certain Lands in the Cowichan District when it was decided that Messers. Drake & Jackson be informed that the Land Warrant could not now be issued (the law having been changed) but that the £25 would be paid them on application at the Treasury.

A letter of 15th February was next read from Mr. O'Reilly enclosing an application from Mr. Louis Agasiz [Lewis Agassiz] for a Pastoral lease of 2500 acres of Land on the West Bank of the Fraser River which was granted on condition of the usual rental of 4 cents an acre being paid.

A letter was then read of 24th February from the Inspector of Schools, enclosing a Petition from the Residents of Metchosin District, praying that the provisions of the Common School Ordinance may be extended to them, which was granted on the recommendation of the Inspector of Schools, and a sum of \$150 was allowed towards the erection of a suitable building for a School House, being an amount equal to the sum subscribed by the residents.

A letter was then read dated 2nd March from Mr. Harper offering to construct a Trail from Fort Alexandria to Germansen Creek for the privilege of collecting Tolls for six years after the completion of the Road to Stuarts Lake, when it was decided that Tenders should be called for this Service connecting the High Road with Germansen Creek and that the notice for Tenders be communicated to the Upper Country by Telegraph receiving replies by the same method.

A letter was then read of 28th February from the Clerk of the Municipal Council of Victoria forwarding for approval the Amended Victoria Foot Path By-Law 1871 which was duly approved.

Confirmed this 18th March 1871.

(Signed) A. Musgrave
Governor

Saturday, the 18th day of March, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs, J. S. Helmcken.

Minutes of the last meeting were read and confirmed.

A letter was first read dated 18th March from Patrick Reid offering to carry the Mail from the Post office on Skeena River to Germansen Creek for the sum of \$125 the round trip. It was not considered expedient to establish Postal communication at the present time to Germansen Creek and the offer was therefore declined.

A letter was then read from Mr. Morley J.P. at Cowichan, enclosing an application from Messers. Ford and Mitchell, for pastoral lease of 1000 acres of Land at Salt Spring Island for 10 years. Application granted on the usual conditions being complied with.

The Governor then read a resolution from the Legislative Council requesting the Government would send down a Bill for the prevention of Bulls and Stallions running at large during certain months of the year. When after some discussion on the subject it was considered it would (considering the large Indian population) be unwise to pass such a law without some previous Notice being given. The Colonial Secretary was therefore instructed to write a Circular letter to the Magistrates directing them to acquaint the Indians that such a Law was in contemplation and pointing out to them the necessity of confining their Bulls and Stallions during certain Seasons of the year.

The Council then adjourned.

Read and confirmed.

(Signed) A. Musgrave
Governor

Monday, the 3rd day of April, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last meeting were read and confirmed.

A letter was first read of 20th March from Mr. Elliott, the Sheriff advertng to a former letter relating to a sum of \$500 being paid him, in order to make his Salary up to £500 per annum and requesting a day might be appointed on which his Deputy and himself might appear before the Executive Council to be examined in reference to his accounts, which owing to the careless manner

they were kept were not considered satisfactory, when, after due deliberation, it was decided that as the Sheriff had already drawn the sum viz.: £300 provided by the Estimates and as there nowhere appeared any evidence that the Government had guaranteed his Salary should be £500 a year, no further amount could be paid him, and as no reflections were intended to be cast on his integrity, it was not considered necessary he should appear before the Executive Council and the Colonial Secretary was directed to acquaint Mr. Elliott accordingly.

A letter was then read dated 30th March from the Attorney General, enclosing a Statement from Mr. Kay appealing *ad misericordiam* and requesting an extension of time for payment of arrears due Government for the rent of Savona Ferry when, under the circumstances of the case, it was decided that the Attorney General be authorized to extend the time for payment in his discretion for Six Months.

The Governor then brought forward for discussion by the Council, the steps which were now necessary to be taken under the Qualification and Registration of Voters Act, as to the appointment of the Registrars and Collectors, and the remuneration they should receive, when after some discussion on the subject, it was considered most desirable to appoint as Registrars the Magistrates in the various Districts and the Sheriff for the Districts and the Sheriff for the District of Victoria leaving to those officers to appoint the different Collectors, who would be approved of by the Governor in Council. It was decided that the Collectors would receive as remuneration the fees which were allowed by the Act, and \$50 in addition and the Colonial Secretary was instructed to write to the Magistrates accordingly.

The Council then adjourned.

Read and Confirmed this 10th May.

(Signed) A. Musgrave
Governor

Wednesday, the 10th day of May, 1871

Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and The Honbles. The Colonial Secretary, The Attorney General, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last Meeting were read and confirmed.

A letter was read dated 10th April from L. Campbell, applying for Pastoral Lease of 500 acres on the South Side of the East Thompson River, in the Yale and Lytton District which on the recommendation of the Magistrate of the District was granted.

- A letter was next read dated 8th April from Mr. John Wilson applying for a Pastoral Lease for a term of five years of a tract of land at the junction of the Buonaparte and Thompson River's. Granted on the recommendation of the Magistrate of the District.
- A letter was then read dated April 15th from Mr. Ingram applying for Pastoral Lease of 2500 acres. Granted on usual conditions.
- A letter was next read dated 11th April from A. G. Pemberton applying for a Pastoral Lease of 250 acres at Kamloops about 6 Miles N.W. of his recorded pre-emption claim. Granted on usual conditions.
- A Petition was then read from the inhabitants of North Saanich requesting a separation of the School District, now known as the Saanich District. Decision deferred for further information on this subject.
- A letter dated 13th April was next read from the Inspector of Schools, enclosing for approval a By Law for the Cariboo School District, and requesting a Government Grant of \$300 in aid of the purchase, and furnishing a School House. By Law approved and a sum of \$300 granted on the recommendation of the Inspector of Schools.
- A letter was then read from Mr. Harper requesting to be allowed the exclusive privilege of charging certain Tolls for all animals passing over the trail which he proposes to construct from Alexandria to Omineca. After due deliberation on this subject, it was decided that Mr. Harper be acquainted that in the absence of further information The Governor in Council were not disposed to assent to his terms which are regarded as excessive.
- A letter was next read of 28th April from Ernest Picht, requesting to know what arrangements he can make with the Government for obtaining a piece of land at the North East End of Lulu Island in the Fraser River, when it was decided Mr. Picht must be acquainted that pending the settlement of the arrangements with Canada the Government are unable to grant him such tenure of the land as he appears to desire.
- A letter of 9th May from the Inspector of Schools was read submitting the name of Mr. John Mundell as Teacher of the Cariboo School. Mr. Mundell duly approved of.
- The Council then adjourned.
- Read and confirmed 14th June 1871.

(Signed) A. Musgrave
Governor

Wednesday, the 14th day of June, 1871

Council met at 11.30 at the Government Buildings.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary,
The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last Meeting were read and confirmed.

Mr. E. G. Alston Acting Attorney General was then introduced, and being duly sworn took his Seat as a Member of Council.

A letter dated 5th June was first read from the Inspector of Schools submitting the name of Mr. John Pleace as Teacher of Yale School vice Miss Nagle resigned, which was approved.

A 2nd letter of 5th June was read from the Inspector of Schools enclosing a letter from the Local Board of the District of Metchosin asking for a further grant to enable them to complete the School House now in course of erection. On the recommendation of the Inspector a grant of \$200 was allowed.

A letter was then read dated 22nd June from Mr. Ernest Picht applying for lease of 21 years of a piece of land at the North End of Lulu Island, when it was decided that pending the settlement of the arrangements with Canada, the Government regret they are unable to grant him such tenure of the land as he desires.

A letter was then read of the 12th May from Mr. Sheriff Elliott suggesting that the necessary printed forms in connection with the Qualification of Voters Act, be issued by the Collector's gratis, which was approved accordingly.

A Petition was then read from the Settlers at Salt Spring Island requesting some assistance from the Government in building their School House, when on the recommendation of the Inspector of Schools a sum of \$100 was granted.

A letter of 15th May was read from Muir Bros. of Sooke requesting a lease of about 5000 acres of timber land which on the recommendation of the Surveyor General was granted.

The case of the Indian Peter now lying under sentence of death at New Westminster for the Murder of the Settler Murphy, and whose sentence had been at a former meeting of the Council suspended, was now brought forward for reconsideration, when after due deliberation, and having carefully weighed the evidence taken at the trial, the Governor in Council considered the extreme sentence of the Law should not be carried into effect, and the sentence was therefore commuted to imprisonment for life.

The Council then adjourned.

Read and confirmed this 24th day of June 1871.

(Signed) A. Musgrave
Governor

Saturday, the 24th day of June, 1871

The Council met at Noon at the Government Buildings.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary, The Actg. Attorney General, The Collector of Customs, J. S. Helmcken, R. W. W. Carrall.

Minutes of the last meeting were read and confirmed.

The Governor read a Despatch from the Secretary of State for the Colonies dated 27th May 1871 transmitting an order of Her Majesty in Council dated 16th May, for uniting British Columbia with the Dominion of Canada, in accordance with the Addresses passed by the Legislatures of the two Colonies; which was ordered to be published in a Gazette Extraordinary for general information.

An application was then read from Mr. Hugh Morton for a Pastoral Lease of a tract of land on the North Bank of Kamloops Lake, which on the recommendation of the Surveyor General, was approved on the usual conditions.

An application was also read from Mr. H. Bowe for Pastoral Lease of 3000 acres near Alkali Lake Creek approved on the recommendation of the Surveyor General on the usual conditions being complied with.

A letter was then read from Messrs. Wright & Marvin dated 20th June offering on certain conditions to undertake the construction of a trail suitable for Pack Animals from Quesnelle to Germansen Creek, which was postponed for further consideration.

The Council then adjourned until Tuesday the 27th Instant.

Read and confirmed this 27th day of June 1871.

(Signed) A. Musgrave
Governor

Tuesday, the 27th day of June, 1871

Council met at 11.30 at the Government Buildings.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary, The Actg. Attorney General, The Collector of Customs, R. W. W. Carrall.

Minutes of the last Meeting were read and confirmed.

A letter of 26th June was first read from the Inspector of Schools submitting for approval the name of Miss Mary Glyde as Teacher for the Metchosin School.

Approved on the recommendation of the School Inspector.

A letter from Messrs. Wright and Marvin of 20th June offering on certain conditions to undertake the construction of a Trail suitable for Pack Animals from Quesnelle to Germansen Creek and which had been postponed at a previous Meeting of the Council, was then brought forward for reconsideration, when it was decided that the tender of Messrs. Wright & Marvin should be accepted, subject to the recommendation of the Surveyor General and with the clear understanding that tolls are not to be collected except on Goods passing over this particular trail.

The Council then adjourned.

Read and confirmed this 7th July 1871.

(Signed) A. Musgrave
Governor.

Friday, the 7th day of July, 1871

The Council met at 11.30 at the Government Buildings.

Present: His Excellency The Governor and the Honbles. The Colonial Secretary, The Actg. Attorney General, The Collector of Customs, J. S. Helmcken.

Minutes of the last Meeting were read and confirmed.

A letter of 8th June was read from the Registrar of the Polling Division of Omineca stating that owing to the non arrival of the necessary forms it was impossible to carry out the provisions of the Qualification and Registration of Voters Act when it was decided that under the 45 Section of the Act In case no list of voters shall have been made out for any District or Polling Division by the day appointed by the Act that the time for the completion of the List should be extended to the 20th July Instant.

Letter from Nicholas Hare was then read making application for Pastoral Lease on South Side of Kamloops Lake ordered to be postponed for further information.

The Council then adjourned.

Certified to be a correct Copy of the Minutes of the Executive Council from 21st January to 7th July 1871.

Philip J. Hankin
Colonial Secretary & Clerk
to Executive Council

JOURNALS
OF THE
LEGISLATIVE COUNCIL
OF THE COLONY OF
BRITISH COLUMBIA
21 JANUARY 1864 TO 4 MAY 1864
IN THE
27TH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA

BEING THE FIRST SESSION OF THE FIRST PARLIAMENT OF
BRITISH COLUMBIA

ROLL

OF THE

HONORABLE THE LEGISLATIVE COUNCILLORS

OF

British Columbia,

FOR THE FIRST SESSION OF ITS FIRST PARLIAMENT,
BEING THE YEAR 1864. 27° VICTORIÆ.

ARTHUR N. BIRCH,.....	{ COLONIAL SECRETARY, AND PRESIDING MEMBER.	
HENRY P. PELLEW CREASE,.....	ATTORNEY GENERAL.	
WYMOND OGILVY HAMLEY,.....	COLLECTOR OF CUSTOMS.	
CHARTRES BREW,.....	MAGISTRATE, NEW WESTMINSTER.	
PETER O'REILLY,.....	Do.	CARIBOO.
EDWARD HOWARD SANDERS,.....	Do.	YALE AND HOPE.
HENRY MAYNARD BALL,.....	Do.	LYTTON.
PHILIP HENRY NIND,.....	Do.	DOUGLAS.
JOSHUA ATTWOOD REYNOLDS HOMER,.....	NEW WESTMINSTER DISTRICT.	
ROBERT THOMPSON SMITH,.....	YALE AND LYTTON DISTRICT.	
HENRY HOLBROOK,.....	DOUGLAS AND LILLOOET DISTRICT.	
JAMES ORR,.....	CARIBOO EAST DISTRICT.	
WALTER SHAW BLACK,.....	CARIBOO WEST DISTRICT.	

JOURNALS

OF THE

LEGISLATIVE COUNCIL

OF

BRITISH COLUMBIA

SESSION 1864.

Thursday, the 21st day of January, 1864.

FIRST SESSION OF THE FIRST PARLIAMENT

THE Legislative Council of British Columbia, constituted by an Order in Council, dated at the Court of Windsor the 11th day of June, 1863, met pursuant to Public Notice¹ on this day, at the Camp, New Westminster, the following Members being present:

THE HON. H. P. P. CREASE,	Attorney General.
THE HON. W. O. HAMLEY,	Collector of Customs.
THE HON. C. BREW,	Magistrate, New Westminster.
THE HON. P. O'REILLY,	Magistrate, Cariboo East.
THE HON. E. H. SANDERS,	Magistrate, Yale.
THE HON. H. M. BALL,	Magistrate, Lytton.
THE HON. J. A. R. HOMER,	New Westminster.
THE HON. H. HOLBROOK,	Douglas and Lillooet.
THE HON. J. ORR,	Cariboo East.

The Members of the Council having taken their seats, His Excellency Governor Sir James Douglas, Knight Commander of the Most Honorable Order of the Bath, entered the Council Chamber, and delivered the following opening address:

GENTLEMEN OF THE LEGISLATIVE COUNCIL—

I have great pleasure in meeting the Legislative Council of British Columbia, assembled this day for the first time, by authority of Her Majesty's Order in Council, dated at the Court of Windsor, on the 11th day of June, 1863; and I offer you, and the people of the Colony at large, my sincere congratulations on this event, the first step towards a perfect form of representative Government, and the establishment of those popular institutions, which we all revere as our birth-right and inheritance; and which Her Majesty's Government saw fit to withhold in the infancy of the Colony, only from a sincere regard for its happiness and prosperity.

¹ British Columbia, *Government Gazette*, 23 January 1864.

In reviewing the condition of the Colony, it is with an irrepressible feeling of thankfulness that I allude to the success which has attended our efforts in improving the public roads, and removing those difficulties of access which have hitherto fettered enterprise, and retarded progress; and that feeling is enhanced as I look forward with well grounded hopes to a period of accelerated prosperity, which will both aid and stimulate our exertions for the development of the great material interests of the Colony.

While all recognize the benefits resulting to the public from facilities of inter-communication, and their obvious effect in cheapening food, in reducing the cost of transport, in developing the Gold Fields, in attracting population, and giving to the waste lands of the Colony a value which they do not now possess, I think it superfluous to urge by any further considerations the vigorous prosecution of public works of such acknowledged merit and utility; but I wish on this occasion to place on record my deliberate opinion of the vital importance of such works to the Colony. I wish to impress upon your attention that no measure can be more fruitful of prosperous results, than that of improving the thoroughfares, until the Railway and Locomotive supersede the existing cumbrous modes of conveyance on all the main lines of road, from the Coast to Alexandria, where there is a practicable water communication, through the valley of Fraser River to the Rocky Mountains; a route which moreover presents so many facilities of ground and general position, that there is every probability of its becoming the main line of overland communication with Canada.

The state of the Colony in other respects exhibits favorable indications of prosperity, as may be inferred from the progress of settlement, the increasing exports of Gold, and the large increase of the public revenue for the past year.

I have thought it incumbent on my Government to pursue, as a fixed policy, a course that would tend to the increase of population and encourage the settlement of the waste lands of the Crown, which are now unproductive alike to the Sovereign and to the people.

With that view the public lands have been thrown open to actual settlers, on the most liberal terms of occupation and tenure, and I have endeavoured with even greater liberality to encourage Mining and every other species of enterprise, tending to develop the resources of the Country. The result of these measures has not been in all respects equal to my wishes. The influx of Capital and population has not been commensurate with the resources of the Colony, and the advantages offered; leaving the impression that these advantages are not fully appreciated abroad. Though we have been thus disappointed of the aid expected from foreign Capital, our regret for this disappointment has been mitigated by the vigorous achievements of domestic enterprise, in developing the Gold Fields, and by the number of private associations now being formed for the purpose of carrying on Mining operations, upon a scale of magnitude heretofore unknown in this Colony.

I propose, during the present year, to introduce such necessary changes in the Mining Laws as may be called for by the growing wants of the Country, and I propose, at once, to bring forward an Act to render shares in Mines convertible like other property by Sale or Mortgage.

I am glad to inform you, Gentlemen, that the Country continues to enjoy uninterrupted peace and tranquility.

The Native Indian Tribes are quiet and well disposed; the plan of forming Reserves of Land embracing the Village Sites, cultivated fields, and favorite places of resort of the several tribes, and thus securing them against the encroachment of Settlers, and for ever removing the fertile cause of agrarian disturbance, has been productive of the happiest effects on the minds of the Natives. The areas thus partially defined and set apart, in no case exceed the proportion of ten acres for each family concerned, and are to be held as the joint and common property of the several tribes, being intended for their exclusive use and benefit, and especially as a provision for the aged, the helpless, and the infirm.

The Indians themselves have no power to sell or alienate these lands, as the Title will continue in the Crown, and be hereafter conveyed to Trustees, and by that means secured to the several Tribes as a perpetual possession.

That measure is not however intended to interfere with the private rights of individuals of the Native Tribes, or to incapacitate them, as such, from holding land; on the contrary, they have precisely the same rights of acquiring and possessing land

in their individual capacity, either by purchase or by occupation under the Pre-emption Law, as other classes of Her Majesty's subjects; provided they in all respects comply with the legal conditions of tenure by which land is held in this Colony.

I have been influenced in taking these steps by the desire of averting evils pregnant with danger to the peace and safety of the Colony, and of confirming by those acts of justice and humanity, the fidelity and attachment of the Native Tribes to Her Majesty's rule.

I have endeavoured, so far as the circumstances of the Colony would permit, to give effect to Her Majesty's instructions enjoining that due attention be paid to the encouragement of religion and morality; but in a Colony to which persons of every religious persuasion are invited to resort, it is impossible without injustice to some, to establish a dominant or endowed Church. It is nevertheless the great duty of States to provide for the service of Almighty God, and to cause the means of religious instruction to be brought within the reach of every member of the community. I would therefore recommend the granting of pecuniary assistance, proportioned to and in aid of private contributions, having that object in view; or else the grant of an equivalent in land, if that be considered more conducive to the proposed end.

I have also to recommend that provision be made for the formation and maintenance of Schools in all parts of the Colony, requiring such aid.

I shall soon lay before you a communication from Her Majesty's Principal Secretary of State for the Colonies, containing proposals on the part of the Atlantic and Pacific Transit and Telegraph Companies, for establishing Telegraphic and Postal communication between British Columbia and the head of Lake Superior, and also of the answer returned by Her Majesty's Government to these proposals. By this contemplated arrangement, it is proposed that Canada, Vancouver Island, and British Columbia should guarantee to the Company a profit on Capital expended, at the rate of not less than Four per Cent per annum, it being however provided that the total annual payment to be made by Vancouver Island and British Columbia, jointly, shall in no case exceed the sum of £12,500, to be borne, if necessary, by the respective Colonies, as may be agreed upon.

I have to recommend this project to your favorable attention, as the conditions are not unreasonable, considering the magnitude of the undertaking, and the advantages which this Colony will reap from the faithful execution of the enterprise.

The Estimates for the year 1864 will be laid before you in a few days. They have been prepared with the utmost regard to economy, consistent with the efficiency of the Public Service.

It appears by the accompanying statement from the Treasurer, that the Expenditure of the Colony for the year 1863, as far as it can, at present be ascertained, amounts, in round numbers, to the sum of £192,860, as shewn in the following abstract, viz:

Debtor balance from 1862.....	£9,302
Redemption of Road Bonds created in 1862.....	12,650
Repayment of Advances to Imperial Government.....	7,000
Civil Establishment, including Salaries, Allowances, Office Contingen- cies.....	31,615
Administration of Justice—Police and Gaols.....	5,761
Transport and other expenses, Works and Buildings.....	15,288
Public Roads.....	83,937
Interest on Loans and Sinking Fund.....	13,725
Colonial Pay and maintenance of Detachment of Royal Engineers.....	7,057
Conveyance of Mails.....	2,223
Miscellaneous.....	4,302
Making a Total of.....	£192,860
The Public Revenue for the same period had produced in round numbers, the sum of.....	£110,000
Bonds created and Loans contracted in aid of Revenue.....	65,805
	175,805
The excess of Expenditure over Income in thus shewn to be about.....	£17,055

In addition to that balance, there is an amount of £10,700 due to the Imperial Government in repayment of expenditure made on account of the Barracks and other Military Buildings, erected for the use of the Detachment of Royal Engineers at New Westminster, forming altogether with the above balance, a charge of £27,755 to be brought against the Revenue of 1864

In considering the ways and means of defraying the Public Expenditure for 1864, we have thus a debtor balance remaining from 1863 of _____ £27,755

Roads Bonds falling due in 1864.....	£4,250
Interest on Loans.....	8,000
Sinking Fund.....	6,500
	£18,750

EXPENDITURE ON CIVIL ESTABLISHMENT, viz:

Salaries, Allowances, and Contingencies..... £33,915

Other ordinary Expenses, viz:

Revenue Services.....	£425
Administration of Justice.....	1,900
Police and Gaols.....	3,650
Charitable Allowances.....	400
Education.....	500
Rent.....	150
Transport.....	3,265
Conveyance of Mails.....	4,000
Works and Buildings.....	3,900
Roads, Streets, and Bridges (repairs).....	5,000
Miscellaneous Services.....	3,500
Light Houses.....	800
	27,490

Which gives a total of ordinary, necessary, and probable expenditure for the year 1864, of _____ £107,910

The Revenue from all sources for 1864 is estimated at _____ £120,000

Deducting the amount as above, say _____ 107,910

there will remain a surplus of _____ £12,090 for the general service of the year.

I have made no allowance in this statement for the maintenance of a Gold Escort, nor for any Public Works beyond the necessary outlay in keeping the existing Roads and Public Buildings in repair.

The balance of £12,090 above shewn, which alone remains at our disposal, is not sufficient to meet the extra ordinary expenses for objects of public utility, which will be shewn in the general Estimates, and it therefore rests with us to determine whether those works are to be undertaken during the present year, and if so, how their cost is to be defrayed.

In the settlement of these and other measures, which, from time to time, will be laid before you, I look forward, with confidence and satisfaction, to the aid of your counsel and advice, and I trust that our decisions may all tend to the advancement of the public good, and of the true and substantial interests of this Colony.

At the Court at Windsor, the 11th day of June, 1863.

PRESENT—THE QUEEN'S MOST EXCELLENT MAJESTY, LORD PRESIDENT EARL RUSSELL, LORD PRIVY SEAL MR. MILNER GIBSON.

WHEREAS, by an Act passed in the 22nd year of the Reign of Her Majesty, entitled "An Act to provide for the Government of British Columbia," it was declared lawful for Her Majesty, by Order in Council, to authorize and empower such Officer as she might from time to time appoint to Administer the Government of British Columbia, to make provision for the Administration of Justice therein, and generally to make, ordain, and establish such Laws, Institutions, and Ordinances as might be necessary for the peace, order, and good government of Her Majesty's subjects and others therein; provided that it should be lawful for Her Majesty so soon as she might

deem it convenient, by any such Order in Council as aforesaid, to constitute, or to authorize and empower such Officer to constitute a Legislature, to make laws for the peace, order, and good government of British Columbia; such Legislature to consist of the Governor or Officer administering the Government of the Colony, and a Council or Council and Assembly, to be composed of such and so many persons, and to be appointed or elected in such manner, and for such periods, and subject to such regulations as to Her Majesty might seem expedient. And whereas, by an Order in Council, bearing date on the 2nd day of September, in the year 1858, Her Majesty was pleased to authorize such Governor or Officer as aforesaid, to make provision for the Administration of Justice, and, as therein mentioned, to make Laws and Ordinances for the peace, order, and good government of Her Majesty's subjects and others in the said Colony. And whereas, it is expedient to make the said Order in Council, and to constitute a Legislature for the said Colony, consisting of the Governor or Officer Administering the Government thereof, and the Legislative Council hereinafter established:

1. It is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, and in pursuance and exercise of the powers vested in Her Majesty by the said Act of Parliament, or otherwise in that behalf, that the said recited Order in Council shall be and the same is hereby revoked. Provided always that nothing herein contained, shall be held to invalidate any act or thing done, nor any appointment made in pursuance or under authority of the said Order in Council, but that every such act, thing, and appointment shall remain of the same force and effect as if the said Order in Council were still in operation.

And it is hereby further ordered as follows, that is to say:

2. In this Order in Council the term Governor shall mean the Officer for the time being lawfully Administering the Government of the Colony of British Columbia.

3. There shall be in the said Colony a Legislative Council, constituted as herein-after mentioned.

4. It shall be lawful for the Governor, with the advice and consent of the said Legislative Council, to make Laws for the peace, order, and good government of the said Colony.

5. The said Council shall consist of such Public Officers within the said Colony, as shall from time to time be designated, and of such persons as shall from time to time be named by or in pursuance of any Instructions or Warrant under the Royal Sign Manual and Signet, and of such other persons as may be from time to time appointed by the Governor, by instruments to be passed under the Public Seal of the said Colony. Provided that every such last mentioned appointment shall be provisional only until the same shall have been approved by Her Majesty, through one of Her Principal Secretaries of State, and may be made to determine at a period named in the Instrument making the same, and that the total number of Councillors shall not by any such appointment be raised above the number of Fifteen. Provided also that every Member of the said Council shall hold office during Her Majesty's pleasure only.

6. The Precedence of the Members of the said Council may be from time to time determined by any such Instructions as aforesaid. In the absence of such determination, the Members shall take rank according to the order of their appointment, or if appointed by the same Instrument according to the order in which they are named therein.

7. The Governor, or in his absence, any Member of the Council appointed by him in writing, or in default of such appointment, the Member present who shall stand first in order of precedence, shall preside at every meeting of said Council. All questions brought before the Council shall be decided by the majority of the Votes given, and the Governor or Presiding Member shall have an Original Vote on all such questions, and also a Casting Vote if the Votes shall be equally divided.

8. No business (except that of adjournment) shall be transacted unless there shall be present Four Members of Council, besides the Governor or Presiding Member.

9. The Council shall, in the transaction of business and passing of Laws, conform as nearly as may be to the directions conveyed in that behalf to the Governor of British Columbia, in certain Instructions under the Sign Manual and Signet, bearing date the 2nd day of September, 1858, unless otherwise provided by US, and to

such further Instructions under the said Sign Manual and Signet as may hereafter be addressed to the Governor in that behalf.

10. Subject to such Instructions the Council may make Standing Rules and Orders for the regulation of their own proceedings.

11. No Law shall take effect until the Governor shall have assented to the same on behalf of Her Majesty, and shall have assigned the same in token of such assent.

12. Her Majesty may, by Order in Council or through one of Her Principal Secretaries of State, disallow any Law passed by the said Governor and Council, at any time within two years after such Law shall have been received by the Secretary of State, and every Law so disallowed shall become null and void so soon as the disallowance thereof shall be published in the Colony, by authority of the Governor.

13. If any Councillor shall become Bankrupt or Insolvent, or shall be convicted of any criminal offence, or shall absent himself from British Columbia for more than three months, without leave from the Governor, the Governor may declare in writing that his seat at the Council is vacant, and immediately on the publication of such declaration he shall cease to be a Member of the Council.

14. The Governor may, by writing under his hand and seal, suspend any Legislative Councillor from the exercise of his office, proceeding therein in such manner as may from time to time be enjoined by any such Instructions as aforesaid, and until otherwise ordered according to such directions, respecting the suspension of Public Officers, as are contained in the above-mentioned Instructions, bearing the 2nd day of September, 1858. And the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.

The Governor's Speech was listened to with profound attention.

The Governor then took his seat, and Judge Begbie, by His Excellency's instructions, administered the Oaths of Abjuration and Allegiance to the Members present.

Judge Begbie then declared the Legislative Council duly open.

His Excellency the Governor then took his leave.

The Attorney General having then taken his seat as Presiding Member, requested permission to read *pro formâ* "The Confirmatory Ordinance, 1864."

The Presiding Member put it to the Council whether this Ordinance be read the first time *pro formâ*.

Carried unanimously.

The Presiding Member read "The Confirmatory Ordinance, 1864," accordingly.

The Council then adjourned till the 22nd instant, at 3 o'clock in the afternoon.

Friday, the 22nd day of January, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—the Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting having been read over and confirmed,

The Hon. The Collector of Customs moved the reply to the Governor's Speech.

The Hon. Mr. Brew seconded the motion.

On the motion being put, the Council divided:

Ayes 7. Noes 1.

So it was resolved in the affirmative,

That steps be taken, before other business is commenced, to prepare a reply to the Speech which The Governor was pleased, yesterday, to deliver to this Council, for the purpose of assuring His Excellency of our hearty co-operation at all times, and in every way that may tend to the advancement of the Colony and the welfare of its inhabitants; and that a Committee be appointed for this purpose.

Ordered, That the following be appointed a Committee for the purpose:—
The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Homer, and Holbrook.

The Hon. Mr. Homer moved that a Committee be formed for drafting Rules of Order.

The Hon. Mr. Ball seconded the motion.

On the motion being put to the Council, it was carried unanimously.

It was therefore *Resolved* That a Committee be appointed to draft Rules of Order for the transaction of the business of the Council.

Ordered, That the following be appointed a Committee for the purpose:—
The Hon. Messrs. Brew, Sanders, Ball, Homer and Orr.

The Hon. Mr. Orr asked leave to bring in a Bill to empower the Governor to grant the right to Mining Companies to enter into occupied ground for the purpose of drainage.

Ordered, That leave be granted.

The Hon. Mr. Holbrook asked leave to bring in a Bill to improve the Harrison River Rapids, and to raise funds for payment of that work.

Ordered, That leave be granted.

The Hon. Mr. Holbrook asked leave to bring in a Bill for the relief of the owners of Town Lots at Douglas.

Ordered, That leave be granted.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. O'Reilly moved "That this House do now adjourn till Monday next, the 25th instant, for the purpose of receiving the Report of the Committee appointed to draw up Rules of Order.

The Hon. Mr. Sanders seconded the motion.

On the motion being put, it was carried *nem. con.*

The Council was then adjourned till Monday the 25th instant, at 3 o'clock in the afternoon, accordingly.

Monday, the 25th day of January, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.
The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were then read over and confirmed.

The Hon. The Collector of Customs, Chairman of Committee for framing a reply to Governor's Address, reported progress.

The reply as drawn up by the Committee was received and adopted, and is as followeth:—

TO HIS EXCELLENCY GOVERNOR SIR JAMES DOUGLAS, K.C.B.,

&c.,

&c.,

&c.

New Westminster,

25th January 1864.

The humble address of the Legislative Council of British Columbia.

SIR:—

We, the Legislative Council of British Columbia, have had placed before us for our consideration, a copy of the Speech which Your Excellency did us the honor to address to us, at the opening of the Legislative Council, on the 21st instant. In reply we are happy to be able to take this early opportunity to join with Your Excellency in expressing our satisfaction at finding that a first step has been taken by Her Majesty's Government, towards admitting a portion of the people to a share in the management of the Public affairs of the Colony. We desire also to express our sense of the responsibility devolving on us, and our earnest resolve to act in concert with Your Excellency, to the best of our ability, in framing future Laws for the country, with the great object in view of advancing the interests of all classes of the community.

2. We think that Your Excellency is justly entitled to speak in terms of pride and satisfaction, of the efforts that have been made in so small a population for establishing the thoroughfares necessary for our traffic; a great further expense we know must follow for the maintenance and extension of our roads and other works, but this we trust will be regarded by the people at large, as by ourselves, in its true light of an investment for the public good, rather than as a burden to be imposed on the industry of the Colony.

3. We shall wait with anxiety to be made acquainted with Your Excellency's views for the proposed modifications in the Mining laws.

4. The Estimates of Revenue and Expenditure for the coming year, it is almost needless to say, will be most carefully considered, as well as the proposal for the great project of communication between this country and Canada.

5. In the opinion of the inexpediency of making grants of public money for the endowment of a Church, we think it right to record our entire concurrence. We think it right also to state that every plan that is practicable for the encouragement of Education will be received with pleasure.

6. We feel scarcely competent, at the commencement of our duties, to enter minutely into the great questions affecting the well-being of the Colony, but we trust that whatever measures may be devised for the increase of trade, for promoting immigration, for the satisfactory settlement of occupiers of land, and for affording protection to the Native Tribes and securing good order among them, will be found to be successful.

7. In deliberating on these and other matters to be developed hereafter, we shall trust humbly to the sincerity of purpose with which we undertake the duties of our office, and to the guidance we shall receive from the wisdom and experience matured by Your Excellency in conducting hitherto the Government of the Colony.

HENRY P. PELLEW CREASE,

Presiding Member.

The Hon. Mr. Brew, from the Committee for drawing up Rules of Order, reported progress.

The Rules as drawn up by the Committee were received and the Committee discharged.

The Rules were then read over by sections, and decided upon.

The Hon. Mr. Sanders moved That the above Rules be printed.

The Hon. Mr. O'Reilly seconded the motion.

On the question being put, motion carried *nem. con.*

So it was *Resolved*, That the Rules of Order be printed, and that a copy be supplied to each Member for his guidance.²

The Hon. Mr. Holbrook moved for a Return of Tonnage Dues.

The Hon. Mr. Homer seconded the motion.

On the question being put, carried *nem. con.*

So it was *Resolved* That an application be respectfully made to His Excellency the Governor for a Return of the amount of Tonnage Dues paid to the Customs since their establishment, 1st January, 1860, to date; to be supplied for the information of the Council, and that the same be laid on the table.

The Hon. Mr. Homer gave three notices of motion.

The Hon. Mr. Holbrook gave four notices of motion.

The Hon. Mr. O'Reilly gave a notice of motion.

The Council then adjourned till the 26th instant, at 3 o'clock in the afternoon.

Tuesday, the 26th day of January, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Holbrook asked leave to withdraw the Bill for Relief of Lot owners in the Town of Douglas.

Ordered, that leave be granted.

The Presiding Member and the Junior Member of the Council were deputed to deliver the reply to the Governor's address.

The Hon. Mr. Holbrook moved for a Survey of Pemberton Meadows.

The Hon. Mr. Homer seconded the motion.

² See Appendix A, p. 383.

On the question being put the Council divided, and the Clerk was requested to take down the names, which were as follows:

Ayes, 3.

The Hon. Mr. Homer,
The Hon. Mr. Holbrook,
The Hon. Mr. Orr.

Noes, 5.

The Hon. Mr. Hamley,
The Hon. Mr. Brew,
The Hon. Mr. O'Reilly,
The Hon. Mr. Sanders,
The Hon. Mr. Ball.

Motion lost.

The Hon. Mr. Holbrook moved for open sittings of Council.

The Hon Mr. Homer seconded the motion.

The Hon. Mr. Brew proposed an amendment.

The Hon. Mr. Orr seconded the same.

The Hon. Mr. Sanders proposed a further amendment.

The Hon. Mr. Ball seconded the same.

On The Hon. Mr. Sanders' amendment being put, the Council divided, and the Clerk was requested to take down the names, which were as follows:—

Ayes, 5.

The Hon. The Collector of Customs,
The Hon. The Attorney General,
The Hon. Mr. O'Reilly,
The Hon. Mr. Sanders,
The Hon. Mr. Ball.

Noes, 4.

The Hon. Mr. Brew,
The Hon. Mr. Homer,
The Hon. Mr. Holbrook,
The Hon. Mr. Orr.

So The Hon. Mr. Sanders amendment was carried,

And it was therefore *Resolved*, That the Press be supplied, if requested, with the minutes of the proceedings in Council, by the Clerk, and that the doors be closed to strangers.

The Hon. Mr. Holbrook's motion for Printing Bills was *Ordered* to be laid on the table for consideration.

The Hon. Mr. Holbrook gave notice of motion.

The Council then adjourned till the 27th instant, at 3 o'clock in the afternoon.

Wednesday, the 27th day of January, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Presiding Member read a communication from the Governor, forwarding copy of correspondence in regard to project for Postal and Telegraph communication via Canada.

A day was fixed for consideration.

On the Order of the day being read for the first reading of Hon. Mr. Holbrook's Bill for improving Harrison River Rapids,
Ordered to be postponed.

On the Order of the day being read for the first reading of The Hon. Mr. Orr's Bill for promoting drainage of Mines,
The Bill was read first and second times, and *Ordered* to be Committed presently.

On the Order of the day being read for the first reading of the Confirmatory Ordinance,
Read first time accordingly.

The Council went into Committee of the whole on The Hon. Mr. Orr's Bill for promoting the drainage of Mining Districts.
The Presiding Member left the Chair.
The Hon. Mr. Ball in the Chair of the Committee.
The Presiding Member resumed the Chair.
The Chairman of the Committee reported progress, and asked leave to sit again.
Ordered, That leave be granted.

The Hon. Mr. Holbrook's motion dropped.

The Hon. Mr. Homer gave two notices of motion.

The Hon. Mr. O'Reilly gave two notices of motion.

The Council then adjourned till the 28th instant, at 3 o'clock in the afternoon.

Thursday, the 28th day of January, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, and Orr.
The Attorney General in the Chair as Presiding Member.
The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. O'Reilly asked leave to bring in a Bill entitled The Gold Fields' Amendment Act.
Ordered, That leave be granted.

The Council went into Committee of the whole on the Estimates.
The Presiding Member left the Chair.
The Hon. Mr. O'Reilly in the Chair of the Committee.
The Presiding Member resumed the Chair.
The Chairman reported progress, and asked leave to sit again.
Ordered, That leave be granted.

On the Order of the day being read for the second reading of the Confirmatory Ordinance, it was read a second time. Ordered to be committed on 1st February.

The Council in Committee of the whole on The Hon. Mr. Orr's Bill for promoting the drainage of Mining Districts.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman of the Committee reported progress, and asked leave to sit again.

Ordered, That leave be granted.

The Hon. Mr. O'Reilly moved for two new Rules of Order, to be added to those already adopted by the Council.

The Hon. Mr. Brew seconded the motion.

The motion being put to the Council, it was carried unanimously.

It was therefore *Resolved*, That the Council can, by motion of any Member, suspend the Standing Orders for the time being without notice, and that all Bills and Motions thrown out cannot be brought forward again during the Session.

The Council then adjourned till the 29th instant, at 3 o'clock in the afternoon.

Friday, the 29th day of January, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Homer asked leave to bring in a Bill entitled An Act regulating the conveyance and postage of Letters.

Ordered, That leave be granted.

The Council went into Committee of the whole on the Estimates.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman of Committee reported progress, and asked leave to sit again.

Ordered, That leave be granted.

The Council then adjourned till Saturday the 30th instant, at 2 o'clock in the afternoon.

Saturday, the 30th day of January, 1864.

The Council met at 2 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Council went into Committee of the whole on Mr. Orr's Bill for promoting the drainage of Mines.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman reported progress, and asked leave for the Bill to be re-committed.

Ordered, That leave be granted.

The Council went again into a Committee of the whole on The Hon. Mr. Orr's Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in report.

Report adopted.

The Hon. Mr. Orr's Bill to promote the drainage of Mines, was then read the third time and passed.

The Council went into Committee of the whole on the Estimates.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Ordered, That leave be granted.

The Chairman handed in a Resolution of the Committee, which was put to the Council and adopted.

It was therefore *Resolved*, That His Excellency be requested to lay before this Council at an early date, a detailed statement of the expenditure of Revenue for the year 1863.

The Council then adjourned till Monday the 1st February, at 12 o'clock at noon.

Monday, the 1st day of February, 1864.

The Council met at 12 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Homer asked leave to bring in Bills entitled the Customs Amendment Act, and Gold Export Duty Act.

Leave deferred.

On the Order of the day being read for the first reading of Gold Fields' Amendment Act, The Hon. Mr. O'Reilly asked leave to have the first reading postponed.

Ordered, That leave be granted.

The Council went into Committee of the whole on the Confirmatory Ordinance.

The Presiding Member left the Chair.

The Hon. Mr. Orr in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through without amendments.

The Confirmatory Ordinance was then read the third time and passed.

The Hon. Mr. Homer asked leave to postpone the first reading of the Postal Bill.

Ordered, That leave be granted.

The Council went into Committee of the whole on the Estimates.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and reported progress.

Report accepted, and Supplies to the amount £135,639 16s. 7d., were duly voted.

The Hon. Mr. Orr gave notice of motion.

The Council then adjourned till Tuesday, at 3 o'clock in the afternoon.

Tuesday, the 2nd day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. O'Reilly, Sanders, Ball, Homer, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. O'Reilly moved the following Resolution,

The Hon. The Collector of Customs seconded the same.

On the question being put it was carried *nem. con.*

It was therefore *Resolved*, That the Governor be respectfully applied to to provide for the following expenditure by Supplementary Estimate, the same having been recommended by the Committee of Supply, and such recommendation having been adopted in the Council:—

LEGISLATIVE COUNCIL.

Stationery, fuel, &c., in addition	£100
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ATTORNEY GENERAL'S DEPARTMENT.

Clerk, in addition to salary	50
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GAOL DEPARTMENT, NEW WESTMINSTER.

Addition to Warden's Salary	100
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EXPLORING IN INTERIOR.

Additional	500
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CHARITABLE ALLOWANCES.

Education, additional	500
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Hospitals, additional	600
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REPAIRS OF YALE AND CLINTON ROAD.

Additional	3,000
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NEW WESTMINSTER.

Roads in and about, to Pitt Meadows, Burrard Inlet, and Harrison River	10,000
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HOPE AND ROCK CREEK ROAD.

Repairs	1,000
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SALARY FOR PILOT	100
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INSPECTOR OF STEAM BOILERS.

Salary	400
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In aid of Volunteer Rifles, New Westminster	250
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That His Excellency be also acquainted with the following recommendations of the Committee:—

1. That the Salary voted for the Deputy Postmaster at Williams Lake be applied in the Upper Country.

2. That His Excellency be asked to recommend to Her Majesty's Government the appointment of an additional Judge in the Colony.

3. That the sum of £1,000 recommended for Hospital purposes be divided equally between Cariboo and New Westminster.

4. That His Excellency be respectfully asked for information in regard to the expense, entered in the Estimates, on account of the Light Houses at Race Rocks and Fisgard Island, Vancouver Island, whether a written contract exists rendering the annual payment of these sums imperative on this Colony, and if so, for what period, and that the Council may be supplied with copies of any documents relating to the matter.

The Hon. Mr. Homer proposed the following Resolution,

The Hon. Mr. Ball seconded the same.

On the question being put it was carried *nem. con.*

So it was *Resolved*, That the Postal, Customs, Gold Export, Light Ship, and Mint questions be discussed in Committee of the whole house, for the purpose of laying recommendations on these points before His Excellency The Governor.

The Hon. Mr. Orr proposed the following Resolution,

The Hon. Mr. Homer seconded the same.

On the questions being put it was carried *nem. con.*

So it was therefore *Resolved*, That His Excellency be requested to impress on Her Majesty's Government the hardship of compelling this Colony to pay the sum of £10,760 16s. 7d. for the erection of the buildings at the Camp, lately occupied by the Royal Engineers, as the same should be strictly an Imperial charge.

The Council then adjourned till Thursday, at 3 o'clock in the afternoon.

Thursday, the 4th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Presiding Member read a communication from His Excellency The Governor, transmitting a Return of Tonnage Dues called for by the Council.

Ordered, That the Return be laid on the table.

The Hon. Mr. Holbrook read a Petition from certain Traders and Merchants, praying for the improvement of the Harrison River Rapids.

Ordered, That a day be fixed for consideration thereof.

The Hon. Mr. Homer read a Petition from certain of the inhabitants of the District of New Westminster, praying for the improvement of the Roads in that District.

Ordered, To be laid upon the table.

The Hon. Mr. O'Reilly asked leave to postpone first reading of his Bill for the amendment of the Gold Laws.

Ordered, That leave be granted.

The Hon. Mr. Holbrook's motion deferred.

The Council went into Committee of the whole on the Telegraph and Postal project, *viâ* Canada.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman of Committee reported progress, and asked leave to sit again.

Ordered, That leave be granted.

The Hon. Mr. Orr gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Council then adjourned till Friday the 5th instant, at 3 o'clock in the afternoon.

Friday, the 5th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. O'Reilly, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Council went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the adoption of the Bill of Supply of £135,639 16s. 7d. for the service of the year 1864, by the Committee, and their recommendation that the Bill be now read a first time,

The question of the first reading of the Bill of Supply being put to the Council,

Ordered, That the Bill be now read the first time.

Bill read first time accordingly.

The question of the immediate second reading and committal of the Bill of Supply having been put to the Council,

Ordered, That the Bill of Supply be now read a second time and committed.

The Bill was then read a second time.

The Council went into Committee of the whole on the Bill of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill passed without amendments.

The question of the third reading of the Bill having been put to the Council,

Ordered, That the Bill be now read the third time.

The Standing Orders having been suspended,

The Bill was read a third time and passed.

The Council went into a Committee of the whole on Postal matters.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman handed in Report.

Report adopted.

Then, on the motion of The Hon. Mr. Ball, seconded by the Hon. Mr. Orr,

It was *Resolved*, That the following Resolutions of the Committee of the whole on Postal matters be transmitted to His Excellency the Governor, with the notes furnished by The Hon. Mr. Homer for a Postal system.

RESOLUTIONS OF COMMITTEE.

Resolved, That His Excellency be requested to furnish this Council with a statement of the number of Letters forwarded through the Post Office during the year 1863, and such other details as will assist this Council in arriving at a definite conclusion, with regard to a thorough Postal system.

Resolved, That the Governor be requested to originate a Bill for a Postal system, based on the notes furnished by the Honourable Member for New Westminster.

On the motion of The Hon. Mr. Orr,

Seconded by The Hon. Mr. Homer,

Resolved, That His Excellency be requested to furnish the Council with a statement of the amount of Crown Lands disposed of in this Colony, and the names of the parties to whom the said lands were sold, and the price at which said lands were sold.

The Hon. Mr. Holbrook asked if the Government had received any advice of the accident which had happened to the Douglas road, between Pemberton and Anderson Lakes, and whether they will repair the same.

The Attorney General replied.

The Council then adjourned till Wednesday, 17th February, at 3 o'clock in the afternoon.

Wednesday, the 17th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.

The Hon. The Collector of Customs, being the Senior Member present at 3 o'clock, took the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Presiding Member laid on the table, by order of the Governor, the Return called for by the Council on Postal matters,

And read a communication from His Excellency stating that the Resolution of the Council in regard to the Colony being charged with the expense of the

Royal Engineer Barracks at the Camp, New Westminster, should be duly forwarded to Her Majesty's Government.

Ordered, To be laid on the table.

The Presiding Member read a further communication from His Excellency, acknowledging the receipt of the Resolution of the Council in Committee of Supply, and stating that the recommendations therein made should meet with his best consideration.

Ordered, To be laid on the table.

The Hon. Mr. Orr presented a Petition from Walter Moberly.

Petition received and read.

Ordered, To be considered on Friday next.

The Council then went into a Committee of the whole on the Overland Telegraph project.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, handing in a Resolution of the Committee for the adoption of the Council, and for transmission to His Excellency the Governor.

Then it was, on the motion of The Hon. Attorney General,

The Hon. Mr. Homer seconding the motion.

Resolved, That this Council, while earnestly desirous of facilitating any practical scheme of communication over the American Continent with England by road and telegraph, and of contributing the proportion fairly due by this Colony, as its share of the cost of the undertaking, is, in the present state of its information on the subject of the proposals laid before this Council by His Grace the Duke of Newcastle, on behalf of the Pacific Transit and Telegraph Company, and their ability to carry out the same, unable to pledge the Revenues of the Colony to the extent proposed.

The Order of the day being read for the first reading of the Bill brought in by The Hon. Mr. O'Reilly, entitled the Gold Fields' Act,

The Bill was accordingly read for the first time and ordered to be read a second time on Monday next.

The Council then went into Committee of the whole on the matter of amending the Customs Laws.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, handing in a Resolution of the Committee for the consideration of the Council.

Then on the motion of The Hon. Mr. Homer,

Seconded by The Hon. Mr. Orr,

Resolved, That His Excellency be requested to frame a Customs Tariff Bill based on the suggestions of The Hon. Mr. Homer, and to submit the same to the Council at an early period.

Then, on the motion of The Hon. Mr. O'Reilly, the Council adjourned till Thursday the 18th instant, at 3 o'clock in the afternoon.

Thursday, the 18th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Presiding Member read a communication from His Excellency the Governor covering a proposal from Messrs. Janion, Green and others to place Steam Traction Engines on the roads of British Columbia.

Ordered, To be printed, and to be considered on Tuesday next.

On motion of The Hon. The Attorney General,

Ordered, That the first reading of the Loan Act be postponed till Tuesday next.

The Council then went into Committee of the whole on the Gold Export Duty question.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and reported progress. The Chairman handed in a Resolution of the Committee for the adoption of the Council and transmission to His Excellency the Governor.

Then on the motion of The Hon. Mr. Homer,

The Hon. Mr. Holbrook seconding,

Resolved, That this Council recommend His Excellency the Governor to frame a Bill for the purpose of imposing an Export duty on Gold leaving this Colony, the said duty to be two shillings (2s.) an ounce on unmanufactured Gold, and one shilling (1s.) an ounce on assayed Gold.

The Hon. Mr. Orr, gave notice of motion.

The Hon. Mr. Holbrook gave notice of motions.

The Hon. Mr. Homer gave notice of motion.

The Hon. Mr. Ball gave notice of motion.

Then on the motion of The Hon. Mr. O'Reilly, the Council adjourned till Friday, at 3 o'clock in the afternoon.

Friday, the 19th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Orr asked The Hon. Attorney General, For information respecting the Sale of Town Lots in Richfield, Barkerville, and Camerontown, Cariboo East; and also whether His Excellency has received a Memorial, relative to the above, from the inhabitants of said towns?

The Hon. Attorney General replied.

The Hon. Mr. Holbrook asked The Hon. Attorney General, Whether any communication has been received from His Excellency the Governor in answer to the Petition from the Merchants and others of Douglas, asking for improvement of the Harrison Rapids, and, if not, when it will be received, to enable the improvements necessary to be considered by this House, and a recommendation for a Bill to be given?

The Hon. Attorney General replied.

The Hon. Mr. Holbrook asked The Hon. Attorney General, If the Government will, before tenders are received for the Repair of the Roads, place the Pemberton Roads in such a state to allow the transport of goods to be proceeded with, the road being now stopped?

The Hon. Attorney General replied.

The Hon. Mr. Homer moved for a Return of the expense of the Coining Apparatus at New Westminster.

The Hon. Mr. Holbrook seconding the motion.

The motion being put it was carried *nem. con.*

It was therefore *Resolved*, That His Excellency The Governor be requested to lay before the Council what information and papers he may have in his possession relative to the cost of erection and the annual cost of working the Coining Establishment in New Westminster.

The Hon. Mr. Ball asked leave to bring in a Bill entitled the Thompson River Bridge Act.

Ordered, That The Hon. Mr. Ball have leave to bring in the said Bill.

He presented said Bill accordingly, and the same was received, and *Ordered* to be read the first time forthwith. Read first time accordingly.

The Hon. Mr. Ball moved that this Bill be now read a second time. The Hon. Mr. O'Reilly seconding.

A debate arose thereupon, and the question being put the Council divided.

Ayes, 6. Noes, 3.

So it was *Resolved* in the affirmative.

Ordered, That this Bill be now read a second time forthwith.

The Bill was read a second time accordingly, and committed to a Committee of the whole forthwith.

Council in Committee of the whole on the Thompson River Bridge Bill.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman of Committee reported progress, and asked leave to sit again.

Ordered, That leave be granted.

Then, on the motion of The Hon. Mr. Hamley, the Council adjourned till Monday, the 22nd inst., at 12 o'clock at noon.

Monday, the 22nd day of February, 1864.

The Council met at 12 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

Ordered, That the consideration of the Light Ship question be taken up at a future time.

The Council went into Committee of the whole on Thompson River Bridge Bill, according to order.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill passed with certain amendments.

Then, on the motion of The Hon. Mr. Ball,

The Hon. Mr. Orr seconding,

Ordered, That this Bill be now read the third time.

Read the third time accordingly.

Resolved, That the Bill be passed, and the title to be the "Thompson River Bridge Toll Act, 1864."

On the Order of the day being read for the second reading of the Gold Fields Bill.

The Hon. Mr. Ball moved and the question was proposed "That the Bill be now read the second time."

Ordered, That the Bill be now read a second time.

The Bill was accordingly read the second time and committed to a Committee of the whole Council forthwith.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman reported progress, several clauses passed with amendments, and asked leave to sit again.

Ordered, That leave be granted.

The Hon. Mr. Orr gave notice of a Resolution for the consideration of the Council.

The Hon. Mr. Ball gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

Then on the motion of The Hon. Mr. O'Reilly, the Council adjourned till Tuesday, the 23rd instant, at 12 o'clock at noon.

Tuesday, the 23rd day of February, 1864.

The Council met at 12 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Sanders, Ball, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Orr moved the following Resolution,

The Hon. Mr. Holbrook seconding,

Resolved, That in order to encourage exploration and a more thorough development of the resources of this Colony, His Excellency be requested to offer the following rewards, and include the amount in a Supplementary Estimate, viz:

£500 for the first vein of quartz successfully worked by machinery in this Colony, and producing either Gold or Silver.

£500 for the first 200 tons of good Coal, produced in the Colony, and shipped to any Foreign Port.

£500 for the first Vessel built in the Colony, of not less than 500 tons burthen.

£500 for the first piece of Machinery manufactured in a foundry in the Colony from the native Iron ore.

£500 for any new alluvial Mining district sufficiently extensive to give remunerative labour to not less than 500 men for six months.

That the above be published in both Colonies in the Public Journals.

On the question being put to the Council it was carried *nem. con.*

On the Order of the day being read for the first reading of the Trades Licence Act.

The Hon. Mr. Ball moved for leave to postpone the first reading of said Bill.

Ordered, To be read the first time to-morrow.

The Hon. Mr. Holbrook moved for a Select Committee to regulate the introduction of Private Bills.

A debate arose thereupon.

On the question being put the Council divided.

Ayes, 3. Noes, 4.

The Presiding Member giving an original and casting vote in the negative.
So it passed in the negative.

The Council proceeded to discuss the Traction Engine scheme.

On the motion of The Hon. Mr. Sanders,

Ordered, That the following be appointed to form a select Committee for enquiring into the proposed scheme for introducing Steam Traction Engines into this Colony, viz:

The Hon. Mr. Sanders, Chairman, The Hon. Messrs. O'Reilly, Ball, and Orr.

Ordered, That the consideration of the Light Ship and Mint question be taken up on a day to be named.

The Order of the day for the committal of the Gold Fields' Bill having been read, the Council resolved itself into Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill passed with certain amendments.

On the Order of the day being read for the first reading of the Loan Bill.

The Hon. Attorney General asked leave to postpone first reading of the said Bill.

Ordered, That the first reading of Loan Bill be postponed, a day to be named.

The Hon. Mr. O'Reilly gave notice of motion.

The Hon. Mr. Homer gave notice of motion.

The Hon. Mr. Orr, gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

Then on the motion of The Hon. Mr. Orr, the Council adjourned till Wednesday, the 24th February, at 3 o'clock in the afternoon.

Wednesday, the 24th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Sanders, Ball, Nind, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

Philip Henry Nind, Esq., a Justice of the Peace for the Colony of British Columbia, being entered within the Council Chamber, was introduced to the Hon. the Presiding Member, and the Oath prescribed by law having been duly adminis-

tered to him by the Judge of the Supreme Court, who attended, at His Excellency the Governor's instance, for that purpose, took his seat as a Member of this Council.

The Minutes of the previous Meeting were read over and confirmed.

Petition presented by the Hon. Mr. Orr, from Merchants and Traders of British Columbia, praying for the establishment of a Mounted Police Force. Petition read.

Ordered, That it be received, and considered on Thursday next.

Hon. Mr. O'Reilly's motion deferred.

Hon. Mr. Orr moved for a day to be named for the re-committal of the Gold Fields' Bill.

Hon. Mr. Holbrook seconding.

Hon. Mr. Ball moved an amendment That the Bill be now read the third time and passed.

On the amendment being put the Council divided, and the names were taken down as follows:

<i>Ayes</i> , 5.		<i>Noes</i> , 4.
Hon. Mr. O'Reilly,		Hon. Mr. Nind,
Hon. Mr. Sanders,		Hon. Mr. Homer,
Hon. Mr. Ball,		Hon. Mr. Holbrook,
Hon. Attorney General.		Hon. Mr. Orr.

The Hon. Attorney General giving an original and casting vote in the affirmative.

So it was *Resolved* in the affirmative, and

Ordered, That the Gold Fields' Bill be now read a third time and passed.

Read a third time accordingly.

Resolved, That this Ordinance do pass and be entitled the "Gold Fields' Act, 1864."

The Council then resolved itself into a Committee of the whole on the Light Ship question.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in Report and a Resolution of the Committee for the consideration of the Council.

Report adopted

Then, on the motion of the Hon. Mr. Homer,

Hon. Mr. Holbrook seconding,

Resolved, That this Council recommend His Excellency the Governor to appropriate the sum of Three Thousand Pounds (£3,000) for the purpose of establishing and maintaining a wooden Light Ship at the Sand Heads, near the entrance of Fraser River (said ship to be built in this Colony), and the amount to be included in the Supplementary Estimates.

The Order of the day being read for the first reading of the Trades Licence Bill,
The Bill was read for the first time accordingly.

Ordered, That the Bill be read a second time on Friday next.

Hon. Mr. Orr gave notice of motion.

Then, on the motion of the Hon. Attorney General, the Council adjourned till
Thursday, the 25th inst., at 3 o'clock in the afternoon.

Thursday, the 25th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs,
The Hon. Messrs. O'Reilly, Sanders, Ball, Nind, Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Sanders, Chairman of the Select Committee appointed to report in
reference to the Traction Engine Scheme, brought up a Report accordingly.
Report adopted.

Hon. Mr. Homer moved for a reward to be offered for the erection of the first Grist
Mill in British Columbia.

The Hon. Mr. Orr seconding.

A debate arose thereupon, and the Council divided on the question being
put,

Ayes, 4. Noes, 2.

So it was *Resolved* in the affirmative,

That this Council recommend His Excellency the Governor to appropriate
the sum of Two hundred and fifty pounds (£250) for the first Grist Mill
which may be erected in the Colony, said Mill to be capable of grinding not
less than fifty bushels of wheat per day.

The Hon. Mr. O'Reilly moved that the duties of the Auditor General should be
separated from those of the Colonial Secretary, and that proper provision
should be made,

The Hon. Mr. Orr seconding.

A debate arose thereupon.

The Council divided on the question being put.

Ayes, 6. Noes, 2.

So it was *Resolved* in the affirmative,

That His Excellency the Governor be respectfully requested to take steps
for separating the duties of the Auditor's Department from those of the
Colonial Secretary, and that a suitable provision be made for an Auditor
General's establishment.

The Hon. Mr. Holbrook's motion dropped.

The Hon. Mr. Orr moved the following resolution,

Hon. Mr. Holbrook seconding,

And the question on being put was carried *nemine contradicente*.

It was therefore *Resolved*, That His Excellency be requested to appoint Justices of the Peace, resident in the interior of British Columbia, with such powers as His Excellency may deem necessary.

The Council then resolved itself into a Committee of the whole to consider the Petition of Merchants and others for a Mounted Police.

The Presiding Member left the Chair.

The Hon. Mr. Nind in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported progress, handing in a Resolution for the adoption of the Council.

Ordered, That the Report be received.

Then on the motion of the Hon. Mr. Orr,

The Hon. Mr. Holbrook seconding,

Resolved, That the Petition before the House for the establishment of a Mounted Police Force be referred to a Select Committee, said Committee to be composed of the Hon. Messrs. Brew, O'Reilly, Nind, Ball, and Homer.

Then, on the motion of The Hon. Mr. O'Reilly, the Council adjourned till Friday the 26th instant, at 3 o'clock in the afternoon.

Friday, the 26th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. Homer, Holbrook, and Orr.

The Attorney General in the Chair as Presiding Member.

The Presiding Member counted the House, and it was found that five Members were not present, although it was 3 of the clock.

Then, on the motion of The Hon. Mr. Orr the Council adjourned till Monday, the 29th instant, at 3 o'clock in the afternoon.

Monday, the 29th day of February, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, Sanders, Ball, Nind, Homer, Holbrook, and Black.
The Attorney General in the Chair as Presiding Member.

Walter Shaw Black, Esquire, being entered within the Council Chamber was introduced to the Hon. The Presiding Member, and the Oath prescribed by Law

having been duly administered to him by the Presiding Member, took his seat as a Member of the Council.

The Minutes of the two previous Meetings were read over and confirmed.

The Hon. The Presiding Member read a message from His Excellency The Governor to the Council, signifying that he had given his assent to the following Ordinances, viz:

No. 1. An Ordinance to promote the Drainage of Mines.

No. 2. An Ordinance confirming certain Proclamations.

No. 3. An Ordinance to supply the sum of One hundred and thirty-five thousand six hundred and thirty-nine pounds, sixteen shillings, and seven pence, sterling, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year One thousand eight hundred and sixty-four.

No. 4. An Ordinance to extend and improve the Laws relating to Gold Mining.

No. 5. An Ordinance for the construction of a Toll Bridge over Thompson River.

The Hon. The Presiding Member read a further message from His Excellency The Governor, recommending to the favorable consideration of the Council, the application of Horace W. Carpentier, President of the California State Telegraph Company, for certain privileges in connection with the establishment of a Telegraph between New Westminster and San Francisco.

The Hon. The Presiding Member read the Petition of George Hooper, praying the Council to institute Auction Licences.

Ordered, To be laid on the table.

The Hon. Mr. Brew from the select Committee appointed to report in reference to the establishment of a Mounted Police force in British Columbia, handed in Report of the Committee.

Consideration deferred.

The Order of the day being read for the second reading of the Trades Licences Bill.

The Bill was read a second time accordingly.

Then on the motion of The Hon. Mr. Ball,

Ordered, That the Bill be now committed to a Committee of the whole forthwith.

The Council resolved itself into the said Committee accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill passed with certain amendments.

Then on the motion of The Hon. Mr. Ball,

Ordered, That this Bill be now read the third time.

Bill read the third time accordingly.

Resolved, That the Bill do pass and the title be "The Trades Licences Amendment Act, 1864."

The Order of the day being read for the first reading of the Loan Bill.

The Bill was read first time accordingly.

Ordered, To be read the second time on Monday next, and to be printed.

The Hon. Mr. Nind gave notice of motion.

The Hon. Mr. Homer gave notice of motion.

The Hon. Mr. Sanders gave notice of motion.

The Hon. Mr. Holbrook gave notice of motions.

Then on the motion of The Hon. Mr. Ball the Council adjourned till Tuesday, the 1st March, at three o'clock in the afternoon.

Tuesday, the 1st day of March, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Ball, Nind, Homer, Holbrook, and Black.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Nind asked leave to bring in a Bill for increasing the penalty for sale of Liquors to Indians.

Ordered, That leave be granted, and that the Bill be read the first time on Thursday next.

The Hon. Mr. Homer moved a Resolution that application be made to the Governor to expend £20,000 in the erection of Public Buildings at New Westminster.

The Hon. Mr. Ball moved an amendment that £10,000 be substituted for £20,000.

On the question being put for the amendment the Council divided.

Ayes, 4. Noes, 3.

So it was *Resolved*, in the affirmative, that the sum of £20,000 be altered to £10,000.

The Hon. Mr. Holbrook asked leave to bring in a Bill for the establishment of Telegraph communication between New Westminster and San Francisco.

Ordered, That leave be granted.

So he handed in the said Bill which was received, and on the motion of The Hon. Mr. Holbrook, it was *Ordered*, that the said Bill be now read the first time.

Read the first time accordingly.

The Hon. Mr. Homer moved for the Bill to be read a second time forthwith.

A debate arose thereupon.

The Hon. Mr. Ball moved as an amendment that the Bill be read a second time on Thursday next.

And on the question being put the Council divided, and the names being taken down by the Clerk, were as follows:

Ayes, 4.

The Hon. Attorney General,
The Hon. Collector of Customs,
The Hon. Mr. Nind,
The Hon. Mr. Ball.

Noes, 3.

The Hon. Mr. Homer,
The Hon. Mr. Holbrook,
The Hon. Mr. Black.

So the amendment was *Resolved* in the affirmative.

The Hon. Mr. Holbrook asked leave to bring in a Telegraph Regulation Bill.

Ordered, That leave be granted.

So he presented the said Bill which was received, and on the motion of The Hon. Mr. Holbrook *Ordered*, that the Bill be now read the first time.

Bill read the first time accordingly.

On the Order of the day being read for the second reading of the Loan Bill,

On the motion of The Hon. Mr. Holbrook,

Ordered, That it do stand as the first Order of the day for to-morrow.

The Hon. Mr. Black gave notice of motions.

Then, on the motion of The Hon. Mr. Homer, the Council adjourned till Wednesday, at 3 o'clock in the afternoon.

Wednesday, the 2nd day of March, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. Nind, Homer, Holbrook, Orr, and Black.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Black asked the Hon. Attorney General if the Gold Commissioner at Williams Creek had been provided with an Assistant Clerk to act as Registrar.

The Hon. Attorney General replied.

The Hon. Mr. Black asked the Hon. Attorney General if all monies, fees, &c., collected in the districts of Cariboo, are to be expended in the said districts for the construction of Roads, Bridges, &c.

The Hon. Attorney General replied.

The Hon. Mr. Black asked the Hon. Attorney General under what conditions Crown Lots were sold at Cariboo.

The Hon. Attorney General replied.

On the Order of the day being read for the second reading and committal of the Loan Bill,

Ordered, That the said Bill be now read the second time.

Bill read the second time accordingly.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some progress made with the Bill, and asked leave to have it re-committed forthwith.

Ordered, That leave be granted.

The Council resolved itself again into Committee of the whole on the Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and reported the Bill passed with certain amendments.

Then on the motion of The Hon. Mr. Orr,

Ordered, That the Bill be read the third time to-morrow.

The Hon. Mr. Homer gave notice of motion.

The Hon. Mr. Orr gave notice of motion.

Then, on the motion of The Hon. Mr. Orr the Council adjourned till Thursday, the 3rd instant, at 3 o'clock in the afternoon.

Thursday, the 3rd day of March, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. Nind, Homer, Holbrook, Orr, and Black.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A Petition presented by the Hon. Mr. Holbrook from Captain C. F. Houghton, a Settler in the Shuswap district.

Petition received and read.

Ordered, To be considered to-morrow.

The Hon. Mr. Homer moved the following Resolution,

Hon. Mr. Holbrook seconding.

And the question on being put was carried *nem. con.*

It was therefore *Resolved*, That His Excellency the Governor be asked to lay before this Council, Returns shewing the amounts received from sales of Town Lots within the limits of the Corporation of New Westminster, and the amounts expended by the Government in Streets and Bridges within the same.

Hon. Mr. Orr asked leave to bring in Steam Traction Engine Bill.

Hon. Mr. Nind seconding Bill.

Ordered, That leave be granted.

He accordingly handed in the said Bill, which was received.

Then on the motion of The Hon. Mr. Orr,

Ordered, That this Bill be now read the first time forthwith.

Read the first time accordingly.

Ordered, That the Bill be read the second time on Monday next.

On the Order of the day being read for the first reading of the Sale of Liquor to Indians Penalties Bill.

Ordered, That Bill be read first time accordingly.

Bill read first time accordingly.

Ordered, To be read the second time on Monday next.

On the Order of the day being read for the second reading of the California State Telegraph Company Bill,

Ordered, That the Bill be now read the second time and committed forthwith.

Bill read the second time accordingly.

The Council resolved itself into a Committee of the whole on this Bill.

The Presiding Member left the Chair.

The Hon. Mr. Black in the Chair of the Committee.

The Committee rose after sitting for some time, being found without a quorum.

The Hon. Mr. Homer, being the Senior Member present, took the Chair as Presiding Member.

On counting the Council the Presiding Member found that Five Members were not present, and then

The Council was adjourned by The Hon. The Presiding Member, till 2 o'clock on Friday, the 4th instant, without a question first put.

Friday, the 4th day of March, 1864

The Council met at 2 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Nind, Homer, Holbrook, Orr and Black.

The Hon. Mr. Nind, being the Member first in order of precedence of those present at 2 o'clock, took the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Council resolved itself into a Committee of the whole on Captain Houghton's Petition.

The Presiding Member left the Chair.

The Hon. The Collector of Customs in the Chair of the Committee.

Captain Houghton was introduced into the Council Chamber, and interrogatories were put to him by several Members.

The Committee rose.

The Presiding Member resumed the Chair.

The Chairman reported progress, handing in a Resolution for the adoption of the Council.

Then on the motion of the Hon. Mr. Holbrook,

The Hon. Mr. Orr seconding,

Resolved, That this Committee recommend His Excellency the Governor to allow the prayer of Captain C. F. Houghton's Petition for a remission of the purchase money for 1500 acres of land as a Military Settler, under the circumstances of the second Proclamation respecting Military Settlement not being known in England when that gentleman left; but not to be any precedent for the future.

On the Order of the day being read for a second reading of the Telegraph Regulation Bill,

Ordered, To be read the second time.

Read the second time accordingly.

Ordered, To be committed on Tuesday next.

On the Order of the day being read for the third reading of the Loan Bill,

Ordered, To be read a third time,

Read a third time accordingly.

Resolved, That this Bill do pass, and that its title be "The British Columbia Loan Act, 1864."

On the motion of the Hon. The Attorney General,

Ordered, That the California State Telegraph Company Bill be re-committed.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Black in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill passed with certain amendments.

Then, on the motion of the Hon. Mr. Orr,

Ordered, To be read the third time on Tuesday next.

The Hon. Mr. Holbrook gave notice of motion.

Then, on the motion of the Hon. Mr. Orr, the Council adjourned till Monday, the 7th instant, at 3 o'clock in the afternoon.

Monday, the 7th day of March, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Nind, Homer, Orr, and Black.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Orr presented a Petition from Messrs. Picht and Hoyt.

The same was received and read.

Ordered, To be laid on the table.

The Hon. Mr. Orr presented a further Petition, from George Hooper.

Not received.

The Hon. Mr. Holbrook's motion dropped.

On the Order of the day being read for the second reading of the Steam Traction Engine Bill,

Ordered That the Bill be now read a second time and committed forthwith.
Read the second time accordingly.

The Council resolved itself into a Committee of the whole on the said Bill.
The Presiding Member left the Chair.

The Hon. Mr. Nind in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman reported some progress made with the Bill, and asked leave to have it re-committed,

Ordered, That leave be granted.

The Presiding Member left the Chair.

The Hon. Mr. Nind in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with certain amendments.

Ordered, To be read a third time to-morrow.

On the Order of the day being read for the second reading of the Indian Liquor Sale Bill,

Ordered, That the Bill be read the second time.

Read accordingly.

Then, on the motion of the Hon. Mr. Orr,

Ordered, That the Bill be committed forthwith.

The Council resolved itself into a Committee of the whole accordingly on the Bill.

The Presiding Member left the Chair.

The Hon. Mr. Orr in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with certain amendments.

Ordered, To be read the third time to-morrow.

The Hon. Mr. Orr, gave notice of motions.

The Hon. Mr. Nind gave notice of motion.

Then on the motion of The Hon. Mr. Orr, the Council adjourned till Tuesday, the 8th March, at 1 o'clock in the afternoon.

Tuesday, the 8th day of March, 1864.

The Council met at 1 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Nind, Homer, Orr, and Black.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Orr moved a Resolution for a Road between Hope and Yale.

On the question being put to the House it was carried *nemine contradicente*, and

Resolved, That His Excellency be requested to appropriate the sum of Eight thousand pounds for the purpose of constructing a waggon-road from Hope to Yale.

The Hon. Mr. Orr moved that the third reading of the Traction Engine Bill be taken as the first Order of the day.

Motion withdrawn.

On the Hon. Mr. Nind rising to ask leave to bring in a Bill for the amendment of the Land system of the Colony,

The Hon. the Presiding Member stated that such a motion could not be received without the opinion of the Governor having been previously ascertained by him, as the initiation of all Bills belongs to the Governor.

On the Order of the day being read for the committal of the Telegraph Regulation Bill,

The committal of the Bill was laid over by the Presiding Member, until the Governor's permission for the introduction of the Bill had been first obtained.

On the Order of the day being read for the third reading of the First Telegraph Bill, *Ordered*, That the Bill be re-committed.

The Council went into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Black in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with certain amendments.

Ordered, That the Bill be now read a third time and passed.

Bill read the third time accordingly.

Resolved, That the Bill do pass, and that the title be "The First Telegraph Act, 1864."

On the Order of the day being read for the third reading of the Steam Traction Engine Bill,

Ordered, That the Bill be read the third time.

Read the third time accordingly.

Resolved, That the Bill do pass, and that the title be the "British Columbia Steam Traction Engine Act, 1864."

The Hon. Mr. Orr gave notice of motion.

Motion withdrawn.

Then, on the motion of The Hon. Mr. Homer, the Council adjourned until Wednesday the 23rd instant, at 3 o'clock.

Wednesday, the 23rd day of March, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. O'Reilly, Homer, and Holbrook.

The Attorney General in the Chair as Presiding Member.

Then, on the motion of The Hon. Mr. Homer, the Council adjourned till Wednesday next, the 30th instant.

Wednesday, the 30th day of March, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. O'Reilly, Ball, Homer, Holbrook, Orr and Black.

The Attorney General in the Chair as Presiding Member.

The Minutes of the two previous Meetings were read over and confirmed.

The Presiding Member read from a *Government Gazette Extraordinary*, bearing date this day, the official intelligence of the birth of the Son and Heir of their Royal Highnesses the Prince and Princess of Wales, on the 8th of January last.

Then on the motion of The Hon. Mr. Ball,

Ordered, That the Hon. Messrs. Ball, Hamley, Homer, Holbrook, and Orr, form a Select Committee to draw up an address, congratulating their Royal Highnesses on this event.

A communication from The Hon. Mr. Nind, apologizing for his absence from the Council was read.

Ordered, To be laid on the table.

A Petition from the inhabitants of Yale in regard to the construction of a waggon-road from Hope to Yale was read.

The Hon. Mr. Orr moved that the Petition be transmitted to His Excellency.

The Hon. Mr. Holbrook moved as an amendment that this Petition be laid on the table.

On the amendment being put the Council divided.

Ayes, 2. Noes, 3.

So it passed in the negative.

The Original motion being put,

Ayes, 3. Noes, 2.

So it was *Resolved* in the affirmative, That the Petition from the inhabitants of Yale for the immediate expenditure of the sum recommended for the construction of a road from Hope to Yale be forwarded to His Excellency.

The Hon. Mr. Orr presented a Petition from the inhabitants of Chilwayhook and Sumass Prairies, praying for the construction of Roads through their settlements.

Petition received and read.

Ordered, To be laid on the table.

The Hon. Mr. Black presented a Petition from the inhabitants of Williams Lake district, praying for the construction of Roads through their settlement.

Petition received and read.

Ordered, To be laid on the table.

The Hon. Mr. Black presented a Petition from the inhabitants of Williams Lake district, praying for the construction of Roads through their settlement.

Petition, received and read.

Ordered, To be considered on Monday next.

The Hon. the Presiding Member laid on the table by order of His Excellency, the following Returns in answer to Resolutions of the Council:

A Return of the Detailed Expenditure of the Colony for 1863,

A Return containing the correspondence in reference to the construction of the Light Houses in the Straits of Fuca.

The House went into Committee of the whole on the Mounted Police question.

The Presiding Member left the Chair.

The Hon. Mr. Black in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that the question had been considered, and a Resolution moved in Committee which had been lost.

On the motion for the Presiding Member to leave the Chair on the Mint question,

Ordered, That the consideration thereof be deferred to 15th proximo.

The Hon. Mr. Holbrook gave notice of 4 motions.

The Hon. Mr. Orr gave notice of motion.

Then, on the motion of The Hon. Mr. Ball the Council adjourned till Friday, the 1st of April, at 3 o'clock in the afternoon.

Friday, the 1st day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Ball, Holbrook, Orr, and Black.

The Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Presiding Member read a communication from His Excellency, returning to the Council for consideration their Resolution for a Gold Export Duty.

The Hon. Mr. Holbrook moved that this communication be considered a fortnight hence.

Hon. Mr. Black moved that the Council go at once into Committee of the whole on the subject.

On the amendment being put the Council divided,

Ayes, 3. Noes, 2.

So it passed in the affirmative, and

Resolved, That the House do now go into Committee of the whole on His Excellency's communication relative to the Export Duty on Gold.

The Council resolved itself into a Committee of the whole on this question accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman handed in a Resolution for the adoption of the House.

Then, on the motion of The Hon. Mr. Orr,

Resolved, That, in the opinion of the Council, it is inexpedient to impose an Export Duty on Gold, since the high rate of Registration Fees has been imposed on the transfer of Mining Claims.

Hon. Mr. Holbrook moved the following Resolution:

Resolved, That His Excellency be requested to appropriate the sum of £150 out of the General Revenue for the purpose of defraying the travelling expenses of the two Members of Council for Cariboo East and West.

On the question being put the Council divided,

Ayes, 4. Noes, 1.

So it was *Resolved* in the affirmative.

Hon. Mr. Orr presented a Petition from the inhabitants of Hope.

Received and read.

On the motion of the Hon. Mr. Orr,

Ordered, To be sent for His Excellency's consideration.

Hon. Mr. Holbrook moved for the Return of Expenditure for 1863, laid on the table, to be printed.

Ordered, To be printed.

Hon. Mr. Holbrook asked the Hon. The Attorney General if Mr. Nind had been appointed County Court Judge at Douglas?

The Hon. The Attorney General replied.

Hon. Mr. Orr moved the following Resolution:

Resolved, That His Excellency be requested to appropriate the sum of Thirty thousand pounds (£30,000) for the purpose of constructing roads in the District of Cariboo.

Hon. Mr. Ball moved that the words £30,000 be altered to £40,000.

On the amendment being put it was carried unanimously.

The Hon. Mr. Orr, gave notice of motion.

The Hon. The Attorney General gave notice of motion.

Then, on the motion of The Hon. Mr. Black, the Council adjourned till Monday next, at 3 o'clock in the afternoon.

Monday, the 4th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Collector of Customs, The Hon. Messrs. O'Reilly, Ball, Homer, Smith, Holbrook, Orr, and Black.

The Hon. The Collector of Customs in the Chair as Presiding Member.

R. T. Smith, Esquire, having been introduced to the Presiding Member, was duly sworn and took his seat at the Council.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Ball, from the Select Committee for drawing up a congratulatory address to His Royal Highness The Prince of Wales, on the birth of a son and heir, brought up a Report, and the same was read as follows:

Your Committee recommend the adoption by the Council of the following address:

May it please Your Royal Highness:

We, the Members of the Legislative Council of the Colony of British Columbia, desire humbly to offer to Your Royal Highness our earnest congratulations on the occasion of the birth of the Prince, your son.

We beg, also, to offer to Your Royal Highness, the fervent expression of our loyalty to our beloved Sovereign, which in this distant part of Her Majesty's dominions makes Her faithful subjects participate in the joy diffused through the Empire at an event which has added to the happiness of Her Majesty, and of Your Royal Highness and your illustrious Consort.

On the motion of the Hon. Mr. Orr, seconded by the Hon. Mr. Holbrook, *nemine contradicente*,

Resolved, That the said address be now adopted and forwarded to His Excellency for transmission through the proper channel.

Hon. Mr. Holbrook presented a Petition from the inhabitants of Clinton.

The Presiding Member objected to receive the said Petition, on the ground that it had been altered, and that interlineations had been made evidently after the Petition had been signed, and asked the Hon. Mr. Holbrook if such alterations were not in his (Mr. Holbrook's) handwriting?

Hon. Mr. Holbrook admitted the alterations to be in his handwriting.

A debate arose on this question.

Then, on the motion of the Hon. Mr. O'Reilly,

Hon. Mr. Smith seconding,

The following Resolution was put to the Council:

Resolved, That the Petition from the inhabitants of Clinton should not be received in its present form, and that this Council expresses its disapprobation of any Petition being altered otherwise than by the original signers,

Being an amendment to the following Resolution moved by the Hon. Mr. Holbrook.

Resolved, That the Petition from the inhabitants of Clinton be forwarded to His Excellency with the request that the prayer of the Petition may be taken into consideration.

A debate arose, and on the amendment being put the Council divided.

Ayes, 4. Noes, 3.

So it was *Resolved* in the affirmative.

Ordered, That the Petition be not received.

A Petition from the settlers of Williams Lake came up for consideration.

Hon. Mr. Black moved for a Committee of the whole to consider the subject.

Hon. Mr. O'Reilly moved as an amendment that it lie on the table for consideration this day six months.

On the amendment being put the Council divided,

Ayes, 4. Noes, 3.

So it was *Resolved* in the affirmative.

Ordered, To lie on the table for consideration this day six months.

Hon. Mr. Orr moved for a Select Committee to draw up an address to His Excellency, on his retirement from the Government of this Colony. The Committee to consist of Hon. Mr. Smith, Hon. Mr. Ball, Hon. Mr. Holbrook.

On the question being put it was carried *nemine contradicente*.

The Hon. Mr. Crease's motion, for leave to bring in certain Bills, deferred till to-morrow.

The Hon. Mr. Holbrook gave notice of motion.

Then, on the motion of The Hon. Mr. Ball, the Council adjourned till Tuesday, the 5th April, at 3 o'clock in the afternoon.

Tuesday, the 5th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Sanders, Ball, Homer, Smith, Holbrook, Orr, and Black.

The Attorney General in the Chair as Presiding Member.

Hon. Mr. Holbrook moved the following Resolutions:

1. *Resolved*, That His Excellency be asked to appropriate the sum of £100 to assist the inhabitants of Clinton in erecting a building for public purposes.

On question being put the Council divided,

Ayes, 6. *Noes*, 2.

So it was *Resolved*, in the affirmative.

2. *Resolved*, That His Excellency be requested to instruct the Stipendiary Magistrate to hold a County Court once a month at Clinton.

On question being put the Council divided,

Ayes, 5. *Noes*, 3.

So it was *Resolved* in the affirmative.

3. *Resolved*, That His Excellency be requested to appoint a resident unpaid Justice of the Peace at Clinton and one paid Constable.

On question being put, it was carried unanimously.

The Hon. Mr. Smith, from the Select Committee for drawing up an address to His Excellency on his retirement from the Government of the Colony of British Columbia, brought up a Report and the same was read as follows:

Your Committee recommend the adoption by the Council of the following address:

The humble address of the Legislative Council of British Columbia.

His Excellency Governor Sir James Douglas, K.C.B.

May it please Your Excellency:

We, the Legislative Council of British Columbia, in Parliament assembled, desire to seize the present opportunity, before your departure from this Colony, to express to Your Excellency our strong feeling of personal respect and regard, and our recognition of the ability and energy with which you have for so many years administered the high office committed to you by our Gracious Sovereign.

The period at which Your Excellency assumed the Government of this Colony, was a time of peculiar difficulty, calling for the exercise of unusual prudence and determination.

By the vigor and sagacity of the measures then and since adopted, the Natives of the land have remained at peace, and contented; a foreign population has been conciliated; the supremacy of the Laws of our country secured; and principles firmly inculcated of fidelity to our institutions, and hearty allegiance to the Crown.

Having been but lately called together as a Legislative body, sufficient time has not elapsed for the development of the principles of Representative Government; but it will not be forgotten by posterity, that it was under your administration, that the first foundations of the edifice were securely laid; and that there has been shadowed forth, in the future to receive full completion; a semblance of that constitution which has been for so many ages at once the pride and happiness of our race.

In bidding Your Excellency farewell, we desire to assure you, that you will carry with you our warmest wishes for the welfare of yourself and family, and our prayers that, to whatsoever station of life by God's providence you may be called, you may be spared for many years to render good service to the State, and to obtain the choicest blessings of him who is the giver of all good things.

On the motion of The Hon. Mr. Smith,

Hon. Mr. Ball seconding,

The question of this address being adopted was put, and the Council divided.

Ayes, 7. Noes, 1.

So it was *Resolved* in the affirmative, That the said address be now adopted, and presented to His Excellency by the Council when convenient.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. The Attorney General asked leave to bring in Bank Note Bill.

Ordered, That leave be granted.

The Bill having been presented and received, on the motion of The Hon. Attorney General,

Ordered, To be read first reading forthwith.

Bill read first time accordingly.

Ordered, Second reading for Wednesday next.

The Hon. The Attorney General asked leave to bring in Inland Navigation Bill.

Ordered, That leave be granted.

On the motion of The Hon. The Attorney General,

Ordered, To be read first time accordingly.

The Hon. The Attorney General asked leave to bring in Joint Stock Companies' Bill.

Ordered, That leave be granted.

Ordered, To be read the first time to-morrow.

The Hon. Mr. Sanders gave notice of motion.

The Hon. Mr. Orr gave notice of motion.

Then, on the motion of The Hon. Mr. Orr, the Council adjourned till Wednesday, the 6th instant, at 3 o'clock.

Wednesday, the 6th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. Messrs, Homer, Smith, Holbrook, and Black.

The Hon. Mr. Homer being the Senior Member present, took the Chair, as Presiding Member, and on the House being counted it appeared that Five Members were not present, although it was past 3 o'clock.

After the lapse of half an hour the Presiding Member again counted the Council, and Five Members not being present, the Council was adjourned by The Hon. The Presiding Member, till Wednesday, the 13th instant, at 3 o'clock, without a question first put.

Wednesday, the 13th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. Mr. Crease, The Hon. Messrs. Homer, Holbrook, and Black.

The Attorney General in the Chair as Presiding Member.

The Presiding Member having counted the House, it appeared that Five Members were not present, and it being half past 3 o'clock, the Council was adjourned by The Hon. The Presiding Member till 3 o'clock to-morrow, without a question first put.

Thursday, the 14th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

The Attorney General in the Chair as Presiding Member.

The Presiding Member counted the Council, it being half past 3 o'clock, and on finding that Five Members were not present, the Council was adjourned by the Presiding Member till 3 o'clock on Monday next, the 18th instant, without a question first put.

Monday, the 18th day of April, 1864

The Council met at 3 o'clock, pursuant to adjournment.

The Attorney General in the Chair as Presiding Member.

The Presiding Member counted the Council, it being 4 o'clock, and on finding that five Members were not present, the Council was adjourned by the Presiding Member till 3 o'clock on Friday next, without a question first put.

Friday, the 22nd day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—His Excellency Frederick Seymour, Esquire, The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Sanders, Homer, Smith, Holbrook, Orr, and Black.

His Excellency the Governor in the Chair as President.

Arthur N. Birch, Esquire, the Colonial Secretary, being entered within the Council Chamber, and having taken the Oath prescribed by law, took his seat as a Member of the Council.

The Minutes of the five previous Meetings were read over and confirmed.

The Hon. Mr. Holbrook presented a Petition from Mr. Newton.

Ordered, To be received and read.

Then, on the motion of the Hon. Mr. Crease,

Mr. Holbrook seconding,

Ordered, That this Petition be considered on Tuesday next.

The Hon. Mr. Sanders moved the following Resolution:

Resolved, That His Excellency the Governor be respectfully requested to instruct the Surveyor General to define the boundaries of the Districts of this Colony.

On the question being put, carried *nemine contradicente*.

The Hon. Mr. Orr moved the following Resolution:

Resolved, That His Excellency be respectfully requested to appoint a competent person to make the necessary survey and estimate the cost of a waggon road from the Mouth of Quesnel to Camerontown, Williams Creek.

On the question being put,

Ordered, That this Resolution be again brought forward on Tuesday next.

On the Order of the day being read for the first reading of the Joint Stock Mining Companies' Bill,

Ordered, That the Bill be read the first time.

Read accordingly.

Ordered, To be read a second time on Tuesday next.

On the Order of the day being read for the second reading of the Bank Note Bill,
A debate arose.

The Hon. Mr. Orr moved,

The Hon. Mr. Black seconding, and on the question being put it was

Resolved, That a Select Committee be appointed to consider the Ordinance respecting the issue of Bank Notes. The Committee to consist of the Hon. Messrs. Orr, Crease, Hamley, Homer, Holbrook, and Smith.

On the Order of the day being read for the second reading of the Inland Navigation Bill,

A debate arose.

The Hon. the Attorney General moved that this Bill be now read a second time.

The Hon. Mr. Orr moved as an amendment,

That the second reading of this Bill be deferred till Monday next.

On the amendment being put,

Ayes, 5. Noes, 6.

So it passed in the negative.

On the Original motion being put,

Ayes, 6. Noes, 5.

So it was *Ordered*, That the Bill be now read a second time.

Read the second time accordingly.

Ordered, To be committed on Monday next.

On the Order of the day being read for the consideration, in Committee of the whole, of the Mint question,

Ordered, That the consideration be deferred till Friday next, the 29th instant.

The Hon. Mr. Orr gave notice of motion.

The Hon. Mr. Holbrook gave notice of motions.

The Hon. Mr. Crease gave notice of motion.

The Hon. Mr. Black gave notice of motion.

Then, on the motion of The Hon. Mr. O'Reilly, the Council adjourned until Monday the 25th instant, at 3 o'clock in the afternoon.

Monday, the 25th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, Smith, Orr, and Black.

The Hon. The Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. The Attorney General laid on the table, by order of His Excellency, papers connected with the appointment of Mr. Trutch as Commissioner of Lands and Works.

A debate arose thereupon.

The Hon. Mr. Brew proposed the following Resolution, Hon. Mr. Orr seconding:

Resolved, That this Council disapproves of Mr. Trutch's holding a public office of great importance while he holds interests in speculations not unconnected with the Department superintended by him in the Colony.

The Hon. Mr. Homer moved that the following words be added to the above Resolution:

The Hon. Mr. Holbrook seconding:

"Or while he holds large interests, whether private or public, in Vancouver Island."

A debate arose thereupon.

On the amendment being put the Council divided,

Ayes, 2. Noes, 8.

So it passed in the negative.

On the original motion being put,

Ayes, 8. Noes, 2.

So it was *Resolved* in the affirmative.

The Hon. Mr. Orr moved the following Resolution,

The Hon. Mr. Brew seconding:

Resolved, That His Excellency be requested to appoint a competent person, and that Mr. Trutch appoint another, and that in case they disagree that they should appoint a third (all residents in this Colony), for the purpose of ascertaining what remuneration shall be paid to Mr. Tutch for transferring to Government all the interests which he now holds in any public works, or private contracts, or charter, either held in his own name or by any other person in his behalf.

The Hon. Mr. Ball moved the following amendment,

The Hon. Mr. Hamley seconding:

That as Mr. Trutch has been appointed Surveyor General of this Colony, and as he is the proprietor of the Alexandra Bridge, that the Government enter into arrangements to purchase the said bridge from Mr. Trutch, and that a Select Committee be appointed to agree with Mr. Trutch as to the amount to be given for the bridge, and to arrange with him for his interests in other public works, as implied in Mr. Trutch's letter to the Colonial Secretary of the 22nd April instant.

On the amendment being put the Council divided.

Ayes, 6. Noes, 4.

So it was *Resolved* in the affirmative, and

Ordered, That the Hon. Messrs. Crease, Hamley, Brew, Holbrook, Smith, and Orr, do form the above Committee.

The Hon. Mr. Orr moved for a Return of Sheriff's Fees, collected in Cariboo East, from 1st January, 1863, to 10th April, 1864.

On the question being put the Council divided,

Ayes, 5. Noes, 5.

The Hon. The Presiding Member being called upon for a casting vote, gave it in the negative.

So it passed in the negative.

The Hon. Mr. Holbrook moved the following Resolution:

Resolved, That a day be named for a second reading of the Telegraph Regulation Bill.

The Hon. the Attorney General moved the following amendment:

Resolved, That the Resolution of the Hon. Mr. Holbrook be postponed till to-morrow, and that the Hon. The Colonial Secretary be requested by that time to ascertain the powers of individual Members to introduce Bills not coming from the Government.

On the amendment being put, carried *nem. con.*

Ordered, That this Resolution be brought on to-morrow.

The Hon. The Attorney General asked leave to bring in Postal Bill.

Ordered, That leave be granted, and that the Bill be read a first time on Wednesday next, the 27th instant.

The Hon. The Attorney General asked leave to bring in Legal Interest Bill.

Ordered, That leave be granted, and that the Bill be read a first time to-morrow.

The Hon. The Attorney General asked leave to bring in Land Registry Amendment Bill.

Ordered, That leave be granted, and that the Bill be read a first time to-morrow.

The Hon. Mr. Holbrook's motion for leave to bring in Barrister's Practice Amendment Act,

Ordered, To be deferred till to-morrow.

The Hon. Mr. Black asked the Hon. The Colonial Secretary if any information had been received officially respecting the irregularities said to have been committed by some Government Officials at Richfield?

The Hon. The Colonial Secretary replied.

The Hon. Mr. Holbrook gave 3 notices of motion.

The Hon. Mr. Homer gave notice of motion.

Then, on the motion of The Hon. Mr. Hamley, the Council adjourned till Tuesday, the 26th inst., at 3 o'clock in the afternoon.

Tuesday, the 26th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. Messrs. O'Reilly, Ball, Homer, Holbrook, Smith, Orr, and Black.

The Hon. The Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Orr's motion, deferred till this date by order of the Council on the 22nd instant, was brought forward.

On the question being put the Council divided,

Ayes, 6. Noes, 1.

So it was *Resolved* in the affirmative, That His Excellency be respectfully requested to appoint a competent person to make the necessary Survey, and Estimate the cost of a waggon-road from the mouth of Quesnel to Cameron-town, Williams Creek.

The Hon. Mr. Holbrook's motion for second reading of Telegraph Regulation Bill withdrawn.

The Hon. Mr. Holbrook moved the following Resolution,

Hon. Mr. Black seconding.

Resolved, That a Select Committee of five be formed from this Council to draw up an address of congratulation to His Excellency Governor Seymour, on his arrival in the Colony, such Committee to be named by the Presiding Officer.

On question being put, it was carried *nem. con.*

Ordered, That The Hon. Messrs. Hamley, Holbrook, Homer, Orr, and Black, form the above Committee.

The Hon. Mr. Homer asked the Colonial Secretary, "What are the intentions of the Government in reference to the Tariff Bill and Light Ship, which was recommended by this Council?"

The Hon. The Colonial Secretary replied.

The Hon. Mr. Holbrook's motion, for leave to bring in Barrister's Practice Amendment Act, dropped.

On the Order of the day being read for the consideration of Mr. Newton's Petition, The Hon. Mr. Holbrook moved the following Resolution,

Hon. Mr. Homer seconding:

Resolved, That the Petition of Mr. W. H. Newton be forwarded to His Excellency, with a respectful request that he will deal with the subject matter thereof as he may deem just and expedient.

On the Order of the day being read for the second reading of the Joint Stock Mining Companies' Bill.

Ordered, To be read second time accordingly.

Bill read second time.

On the motion of The Hon. The Attorney General,

Ordered, To be committed to a Committee of the whole Council forthwith.

The Council resolved itself into the said Committee accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill passed with certain amendments.

On the motion of The Hon. The Attorney General,

Ordered, To be read a third time to-morrow.

On the Order of the day being read for the first reading of the Legal Interest Bill,

Ordered, To be read first time.

Read first time accordingly.

Ordered, To be read second time to-morrow.

On the Order of the day being read for the first reading of the Land Registry Extension Bill,

Ordered, To be read the first time.

Read the first time accordingly.

Ordered, To be read a second time to-morrow.

Hon. Mr. Homer gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Orr gave notice of motion.

The Hon. Mr. Smith gave notice of motion.

The Hon. The Attorney General gave notice of motion.

Then, on the motion of The Hon. Mr. Orr, the Council adjourned till Wednesday, the 27th instant, at 3 o'clock.

Wednesday, the 27th day of April, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, Smith, Orr, and Black.

The Hon. The Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. The Attorney General laid on the table, by order of His Excellency, papers connected with the matter of Captain Houghton's Petition.

The Hon. Mr. Homer asked leave to withdraw his Resolution in regard to imposing a tax of 3d. per acre on unoccupied land.

Ordered, That leave be granted.

The Hon. Mr. Holbrook moved the following Resolution, Hon. Mr. Homer seconding:

Resolved, That His Excellency The Governor be respectfully requested to bring in a Bill for the Regulation of the Telegraph, and to secure secrecy and fidelity in the transmission of telegraphic messages.

On question being put the Council divided,

Ayes, 6. *Noes*, 1.

So it was *Resolved* in the affirmative.

The Hon. Mr. Orr moved the following Resolution:

That the Government be requested to lay before this House, Ordinances for the regulation of the following matters:

1. To determine the right of drovers and stock-raisers to pasture their stock on unenclosed lands.
2. To regulate the running at large of stallions.
3. To impose a tax upon all unimproved lands bought or pre-empted from Government.
4. To allow spirits manufactured in the Colony to be exported free of excise duty.
5. To regulate the killing of game.
6. To regulate the fisheries of the rivers and coast of this Colony.

On the question being put, *Ordered*, That a separate vote be taken on each subject in order.

On question No. 1 being put the Council divided.

Ayes, 4. Noes, 5.

So it passed in the negative.

On question No. 2 being put, it was carried *nemine contradicente*.

On question No. 3 being put, The Hon. Mr. Ball moved that the words "[or] pre-empted" be left out.

On the amendment being put, the Council divided,

Ayes, 2. Noes, 6.

So it passed in the negative.

On the original motion being put, the Council divided,

Ayes, 3. Noes, 6.

So it passed in the negative.

On question No. 4 being put, it was carried *nem. con.*

On question No. 5 being put, it was carried *nem. con.*

On question No. 6 being put, it was carried *nem. con.*

The Hon. Mr. Smith asked the Hon. The Colonial Secretary whether or not any action has been taken with reference to the Petition from the inhabitants of Hope, viz: that the additional duty of one half cent per pound, at present collected on all goods leaving that place, *viâ* Similkameen, be taken off?

The Hon. The Colonial Secretary replied.

The Hon. Mr. Holbrook moved the following Resolution, the Hon. The Attorney General seconding:

Resolved, That a Select Committee of the House be formed to consider how an Assisted Emigration from Great Britain, either by paying part of the passage money or giving grants of land, can be made available for the Colony.

On the question being put, it was carried *nemine contradicente*.

Ordered, That the Hon. Messrs. Holbrook, Crease, Hamley, Birch, Nind, and Orr form the above Committee.

The Hon. The Attorney General asked leave to bring in a Bill for the relief of certain Military and Naval Settlers.

Ordered, That leave be granted.

So the Bill was presented.

On the motion of the Hon. The Attorney General,

Ordered, To be read a first time forthwith.

Read first time accordingly.

Ordered, Second reading for Monday next.

On the Order of the day being read for the first reading of the Postal Bill,

Ordered, That the Bill be now read the first time.

Read first time accordingly.

Ordered, To be read a second time forthwith.

Read second time accordingly.

Ordered, To be committed on Friday next.

On the Order of the day being read for the committal of the Inland Navigation Bill,
The House resolved itself into said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman of Committee reported progress and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

On the Order of the day being read for the second reading of the Legal Interest Bill,

Ordered, To be read second time presently.

Read second time accordingly.

Ordered, To be committed to-morrow.

On the Order of the day being read for the third reading of the Joint Stock Mining Companies' Bill,

Hon. Mr. Orr moved that it be re-committed.

On question being put, the Council divided,

Ayes, 2. Noes, 7.

Ordered, To be read third time forthwith.

Read third time accordingly.

Then, on the motion of the Hon. The Attorney General,

Resolved, That the Bill do pass, and that its title be the "Mining Joint Stock Companies' Ordinance, 1864."

On the Order of the day being read for the second reading of the Land Registry Amendment Bill,

Ordered, To be read second time presently.

Read second time accordingly.

Ordered, To be committed to-morrow.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Smith gave notice of motion.

Then, on the motion of the Hon. Mr. Orr, the Council adjourned till Thursday, the 28th instant, at 1 o'clock in the afternoon.

Thursday, the 28th day of April, 1864.

The Council met at 1 o'clock, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, Smith, Orr, and Black.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

Two Messages from His Excellency the Governor to the Council were delivered by The Hon. The Colonial Secretary, who read the same, which are as followeth:

FREDERICK SEYMOUR.

Message No. 1.

The Governor has received from his predecessor the Resolution, passed by the Legislative Council on the 29th of February, requesting him to appoint Justices of the Peace, resident in the Colony of British Columbia, with such power as he may deem necessary.

The Governor concurs in opinion with the Council, that a few unpaid Magistrates might with advantage be appointed. He will give his best attention to the subject as soon as his local knowledge shall be sufficient to enable him to make appointments satisfactory to the community.

Government House, 28th April, 1864.

FREDERICK SEYMOUR.

Message No. 2.

The Governor has received from his predecessor the Resolution of the Legislative Council, passed on the 18th of February, requesting the Governor to frame a Customs Tariff Bill, based upon the suggestions of The Hon. Mr. Homer, and submit the same to the Council at an early date.

The Governor is of opinion that he does not as yet possess sufficient local knowledge to justify his interfering with the fiscal arrangements he finds in force. He is therefore unable to comply with the Resolution of the Council during the present Legislative Session. He will however consider with care The Hon. Mr. Homer's suggestions during the approaching recess.

The Governor is strengthened in the opinion that it would be imprudent in him to attempt at present to re-model the Tariff, by the belief that the Resolution of the 18th of February would not have been readily concurred in by his predecessor.

Government House, 28th April, 1864.

The Hon. The Attorney General, from the Select Committee appointed to enquire into Mr. Trutch's matter, brought up a Report and the same was read as followeth:

Your Committee report that they are unable to come to any decision on the matters of Mr. Trutch, from want of the means of arriving at the amount which should form the basis of negotiation, Mr. Trutch being unwilling to name a price himself or supply the details of the cost of construction; and therefore recommend that the subject be referred back to His Excellency, with a request that he will take such action in the matter as he may deem expedient for the public interest.

Then, on the motion of The Hon. The Attorney General,

Ordered, That the above Report be transmitted to His Excellency.

The Hon. Mr. Holbrook, from the Select Committee appointed to draw up an address to His Excellency on his arrival in the Colony, brought up a Report, and the same was read as followeth:

Your Committee recommend the adoption by the Council of the following address:

To His Excellency Frederick Seymour, Esquire,

Governor of British Columbia and its Dependencies.

The humble Address of the Legislative Council of British Columbia.

May it please Your Excellency:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Council of British Columbia, beg most respectfully to offer our congratulations to Your Ex-

cellency upon your assuming the duties of your important office, over the Colony of British Columbia and its Dependencies.

A Gold Colony, possessing an area over 250,000 square miles, yet in its infancy, will require many and various enactments to meet the necessary purposes of a young Country, and while we are prepared to devote our time and best energies, as loyal and dutiful subjects, to the cause, we are happy in having the benefit of Your Excellency's long Colonial experience to aid and guide us in our duties.

It affords us, the Members of the Legislative Council of British Columbia, much pleasure to offer to Your Excellency our warmest support, and, through you, to Her Most Gracious Majesty the Queen, a pledge of our devoted loyalty.

Then, on the motion of the Hon. Mr. Holbrook,

Ordered, That this Address be adopted, and that it be presented to His Excellency by the Hon. The Presiding Member, accompanied by such Members of the Council as shall see fit so to do.

The Hon. Mr. Holbrook moved the following Resolution,

Hon. Mr. Homer seconding:

Resolved, That His Excellency be respectfully requested to appoint, or recommend for appointment, Notaries Public for this Colony.

On the question being put, it was carried *nem. con.*

The Hon. Mr. Smith laid before the Council a statement from certain of the inhabitants of Yale, in regard to the lease of the water frontages at Yale, and asked that no further leases might be granted.

Ordered, That the discussion of this question be deferred until next sitting of the Council.

On the Order of the day being read for the further consideration of the Inland Navigation Bill in Committee,

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and reported the Bill gone through with certain amendments.

Ordered, That the Bill be read a third time to-morrow.

On the Order of the day being read for the committal of the Legal Interest Bill,

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with certain amendments.

Ordered, To be read third time forthwith.

Read third time accordingly.

Then, on the motion of The Hon. The Attorney General,

Resolved, That this Bill do pass, and that its title be "The Interest Ordinance, 1864."

On the Order of the day being read for the committal of the Land Registry Extension Bill,

The Council resolved itself into the said Committee accordingly.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with certain amendments.

Ordered, To be read a third time forthwith.

Read third time accordingly.

Then, on the motion of The Hon. The Attorney General,

Resolved, That this Bill do pass, and that its title be "The British Columbia Land Registry Extension Ordinance, 1864."

The Hon. The Attorney General gave notice of motion.

Hon. Mr. Homer gave 6 notices of motion.

The Hon. Mr. Orr gave notice of motion.

Then, on the motion of the Hon. Mr. Orr, the Council adjourned till Friday, the 29th instant, at half-past 12 o'clock in the afternoon.

Friday, the 29th day of April, 1864.

The Council met at half-past 12 o'clock, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, Smith, Orr, and Black.

The Hon. The Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Council adjourned during pleasure.

At 3 o'clock the Council resumed its sitting.

The Hon. The Colonial Secretary reported that the Council did this day wait on His Excellency The Governor, with a congratulatory address on his arrival in the Colony, to which His Excellency was pleased to return the following most gracious reply:

Honorable Gentlemen of the Legislative Council.

I receive with great gratification the address which your loyalty to the Queen has induced you to present to Her Majesty's representative.

You by no means over-estimate the importance of the duties belonging to you—to us—as the present Legislature of this vast territory. Every assistance in my power shall be afforded to you, and you will at all times find in me great deference for your wishes and opinions.

The present immature Legislative constitution gives to the Governor great power in the initiation of laws. I am pleased to believe that I am not immediately called upon to make any large exercise of that power, but that I may by an early

prorogation enable myself to become personally acquainted with the wants of the different districts of the Colony. I trust that I shall be able to lay before you measures of considerable importance when next we meet for the transaction of business.

I am greatly obliged to you for your promise of support, and I shall not fail to make known to Her Majesty's Government the loyal spirit by which you are actuated.

The Hon. The Attorney General asked leave to bring in Patents Bill.

Ordered, That leave be granted.

Then, on the motion of The Hon. The Attorney General,

Ordered, That the Bill be now read the first time.

Read first time accordingly.

Ordered, Second reading for Monday next.

The Hon. Mr. Orr moved the following Resolution:

Resolved, That His Excellency be respectfully requested to appoint a Deputy Registrar for the registration of transfers of land, mortgages on land, &c., in the district of Cariboo East.

On the question being put, the Council divided,

Ayes, 5. Noes, 5.

The Presiding Member gave a casting vote in the affirmative.

So it was *Resolved* in the affirmative.

The Hon. Mr. Homer's motion to consider His Excellency's message on the Tariff question, was withdrawn by consent of the Council.

The Hon. Mr. Homer moved a Resolution for increasing the premium for the first Grist mill erected in the Colony.

On the question being put the Council divided,

Ayes, 5. Noes, 5.

The Presiding Member gave a casting vote in the negative.

So it passed in the negative.

The Hon. Mr. Homer moved the following Resolution:

Resolved, That His Excellency the Governor be recommended to make, as soon as practicable, an appropriation of public money sufficient for the purpose of subsidizing a line of Ocean Steamers to convey Mails between San Francisco and New Westminster. The said Steam-ship not to be less than 1000 tons register.

On the question being put, it was carried *nem. con.*

The Hon. Mr. Homer moved a Resolution praying for a Legislative Assembly.

The question being put, the Council divided.

Ayes, 5. Noes, 5.

The Presiding Member gave a casting vote in the negative.

So it passed in the negative.

The Hon. Mr. Homer moved the following Resolution:

Resolved, That His Excellency the Governor be requested to repeal that portion of the Customs Act, dated 2nd June, 1859, which allows Customs

duties for the North Coast of British Columbia, to be collected in Vancouver Island. Also the repeal of the duties on ship building material, machinery for steam-boats, grist mills, and quartz mills.

On the Order of the day being read for the consideration of the Mint question in Committee.

On the motion of The Hon. Mr. Homer,

Ordered, That the consideration stand over *sine die*.

On the Order of the day being read for the committal of the Postal Bill,

The Council resolved itself into said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with amendments.

Ordered, To be read the third time.

Read the third time accordingly.

Ordered, To be passed on Monday next.

On the Order of the day being read for the third reading of the Inland Navigation Bill,

Hon. Mr. Orr moved a re-committal,

Ordered, To be re-committed.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported certain amendments made.

Ordered, That this Bill be read a third time forthwith.

Read third time accordingly.

Resolved, That this Bill do pass, and that its title be "The Inland Navigation Ordinance, 1864."

The Hon. Mr. Brew gave notice of motion.

Then, on the motion of The Hon. Mr. Orr, the Council adjourned till Monday, the 2nd May, at 3 o'clock in the afternoon.

Monday, the 2nd day of May, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, Smith, Orr, and Black.

The Hon. The Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. The Colonial Secretary informed the Council that it was His Excellency's intention to adjourn them on Wednesday, the 4th instant, at 11 o'clock in the forenoon.

The Hon. Mr. Brew moved the following Resolution,

Hon. Mr. O'Reilly seconding:

Resolved, That His Excellency the Governor be requested to increase the Salary of the Postmaster General to £500 a year.

On question being put the Council divided,

Ayes, 5. *Noes*, 5.

The Presiding Member gave a casting vote in the affirmative.

So it was *Resolved* in the affirmative.

On the Order of the day being read for the first reading of the Military and Naval Settlers Relief Bill,

The Hon. The Attorney General moved that the Bill be read first time to-morrow.

Ordered, To be read first time to-morrow.

On the Order of the day being read for the second reading of Patents Bill.

Ordered, To be read second time.

Read second time accordingly.

Ordered, To be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman reported certain amendments made in the Bill, and asked leave to sit again.

Ordered, That leave be granted for to-morrow.

On the Order of the day being read for the passing of the Postal Bill,

On the motion of The Hon. Mr. Orr,

Ordered, To be re-committed at once.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with amendments.

Then, on the motion of The Hon. The Attorney General,

Resolved, That this Bill do pass and its title be the "Postal Ordinance, 1864.

The Hon. Mr. Orr, Chairman from the Select Committee to consider the Bank Note Bill, handed in their Report in the shape of an amended Bill.

Report adopted.

Ordered, That the Bill be now read the second time.

Read second time accordingly.

Ordered, To be committed to-morrow.

The Hon. Mr. Orr gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Black, gave notice of motion.

The Hon. Mr. Smith gave 2 notices of motion.

Then, on the motion of The Hon. Mr. O'Reilly the Council adjourned till 11 o'clock in the forenoon to-morrow, the 3rd instant.

Tuesday, the 3rd day of May, 1864.

The Council met at 11 o'clock in the forenoon, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, Smith, Orr, and Black.

The Hon. The Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

Hon. Mr. Orr presented a Petition from Frank Richards.

Ordered, That the same be received and read.

Petition read accordingly.

Hon. Mr. Orr moved that this Petition be transmitted to His Excellency.

Hon. Mr. Ball moved as an amendment, that it be considered this day six months.

On the amendment being put the Council divided,

Ayes, 8. Noes, 2.

So it was *Resolved* in the affirmative.

Hon. Mr. Orr presented a Petition from John T. Scott.

Ordered, To be received and read.

Petition read accordingly.

Hon. Mr. Orr moved that this Petition be transmitted to His Excellency.

Hon. Mr. Homer moved as an amendment that it be considered this day six months.

On the amendment being put, the Council divided,

Ayes, 8. Noes, 1.

So it was *Resolved* in the affirmative.

The Hon. Mr. Black presented the Petition of George Transfield [Tranfield].

Ordered, To be received and read.

Read accordingly.

On the motion of the Hon. Mr. Black,

Ordered, To be laid before His Excellency for consideration, and for him to deal with as the justice of the case may call for.

The Hon. Mr. Orr moved the following Resolution,

The Hon. Mr. Black seconding:

Resolved, That in the opinion of this Council, representing as it does the unanimous voice of the people of this Colony, the union of British Columbia with Vancouver Island would be detrimental to the best interests of both; and that His Excellency be requested to transmit this Resolution to Her Majesty's Principal Secretary of State for the Colonies.

On the question being put, it was carried *nemine contradicente*.

The Hon. Mr. Holbrook moved the following Resolution:

Resolved, That the Governor be respectfully requested to take into consideration the propriety of fixing a new site for public buildings at Lillooet.

On the question being put, it was carried *nem. con.*

The Hon. Mr. Black's motion withdrawn by permission of the Council.

The Hon. Mr. Smith moved the following Resolution:

Resolved, That whereas certain reservations in the valley of Chilwayhook and elsewhere throughout the Colony are being made for the benefit of the Indians, and whereas said reservations are considered to be unnecessarily large (10 acres to each family), and in several instances including lands already pre-empted and improved by actual settlers, thereby seriously interfering with the development of the agricultural resources of the Colony; be it resolved that His Excellency be respectfully requested to give the matter his consideration at as early a date as convenient, in order to avoid difficulties between the Settlers and the Indians.

On the question being put, it was carried *nem. con.*

The Hon. Mr. Smith moved the following Resolution:

Resolved, That His Excellency be respectfully requested to consider the growing necessity of appointing a Gold Commissioner and Stipendiary Magistrate for the Shuswap and Similkameen Country.

On the question being put, it was carried *nem. con.*

On the Order of the day being read for the second reading of the Naval and Military Settlers' Relief Bill,

Ordered, To be read second time and committed forthwith.

Read accordingly second time.

The Council resolved itself into a Committee of the whole on the Bill.

The Presiding Member left the Chair.

The Hon. Mr. Orr in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through without amendments.

Then, on the motion of The Hon. The Attorney General,

Ordered, To be read third time at once.

Read third time accordingly.

Then, on the motion of The Hon. The Attorney General,

Resolved, That this Bill do pass, and that its title be "The Naval and Military Settlers' Relief Ordinance, 1864."

On the Order of the day being read for the committal of the Bank Note Bill,

On the motion of The Hon. Mr. Crease,

Ordered, That the Standing Orders of the Council be suspended, to enable the Customs Amendment Bill to be read first, second, and third times, and passed this day, and that the Order of the day just now read do stand as the next Order after Customs Amendment Bill.

Ordered, That leave be granted for the Customs Amendment Bill, and that it now be read the first time.

Read first time accordingly.

Ordered, That the said Bill be now read the second time, and committed forthwith.

Read second time accordingly.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with amendments.

Ordered, To be read a third time forthwith.

Read third time accordingly.

On the motion of The Hon. The Attorney General, *Resolved*, That the Bill do pass, and that its title be "The Customs Amendment Ordinance, 1864."

On the Order of the day being again read for the committal of the Bank Note Bill.

The Council went into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Orr in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Chairman reported some progress made with the Bill, and asked leave to sit again.

Ordered, That leave be granted presently.

The Council then adjourned during pleasure.

After the lapse of half an hour the Council resumed its sitting.

On the motion of the Hon. The Attorney General,

Ordered, That the consideration of the Bank Bill in Committee be resumed.

The Presiding Member left the Chair.

The Hon. Mr. Orr in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with certain amendments made and new clauses added.

Report adopted.

Ordered, That this Bill be now read a third time.

Read third time accordingly.

On the motion of the Hon. The Attorney General,

Resolved, That this Bill do now pass, and that its title be "The Bank Ordinance, 1864."

On the Order of the day being read for the resumed consideration in Committee of the Patents Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Orr in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with amendments made.

Report adopted.

Ordered, To be read the third time.

Read third time accordingly.

On the motion of the Hon. The Attorney General,

Resolved, That this Bill do pass, and that its title be "The Patents Ordinance, 1864."

Then, on the motion of the Hon. Mr. Black, the Council adjourned till to-morrow, the 4th inst., at 11 o'clock in the forenoon.

Wednesday, the 4th day of May, 1864.

The Council met at 11 o'clock, pursuant to adjournment.

Present.—The Hon. The Colonial Secretary, The Hon. The Attorney General, The Hon. The Collector of Customs, The Hon. Messrs. Brew, O'Reilly, Ball, Homer, Holbrook, and Black.

The Hon. The Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

His Excellency Frederick Seymour, Esquire, Governor and Commander-in-Chief of British Columbia, &c., &c., having been announced, entered the Council Chamber, and being seated in the President's Chair, made the following Speech to the Council:

Honorable Gentlemen of the Legislative Council:

The period of the year has now arrived when most of you would wish to leave New Westminster, to attend to the duties of your offices or to the interests of your business, and I am happy to think that I can, without detriment to the public welfare, release you from further attendance in your Legislative capacities.

2. The Session which closes to-day has been productive, in my opinion, of considerable benefit to the community. It would probably have been even more useful, had not a change in the administration of the Government occurred during its progress. On entering the office—not yet a fortnight ago—I found myself obliged to consider a measure involving the whole financial arrangements of the Colony; another proposing to regulate its paper currency; a third affecting the internal Navigation of the Country; together with several others of minor importance. In addition to these projects of law, there were awaiting my decision more than twenty resolutions, passed by your Honorable Council at various times, many of them of grave importance, sanctioning in the whole an expenditure falling little short, if at all, of Eighty thousand pounds. The advance of the spring allowed of no delay. An early decision was required, so, with means of information still imperfect, I have decided as follows:

3. I have assented, in Her Majesty's name, to the undermentioned Ordinances: An Ordinance to increase the facilities for registering documents relating to real property.

An Ordinance to declare the lawful rate of interest in the Colony.

An Ordinance relating to Patents.

An Ordinance to facilitate the formation of Mining Joint Stock Companies.

An Ordinance for regulating the Postal Service.

An Ordinance for the relief of certain Naval and Military Settlers.

An Ordinance to amend Customs Duties.

An Ordinance for the regulation of the Inland Navigation of British Columbia.

I might have hesitated in assenting, at once, to this last, prudent but cumbrous and perhaps vexatious measure, were it not that the Act contains a clause suspending its operations until Her Majesty's pleasure be signified. The Ordinance will therefore be subjected again to my consideration, when reporting to the Secretary of State on its provisions.

4. I have reserved for Her Majesty's consideration, the somewhat complicated Ordinance proposing to regulate the issue of Bank Notes in the Colony. Understand that I have not absolutely disallowed it. The measure may offer considerable advantages, but in a new country where capital is required, it is not always desirable to Legislate in a manner which may impair individual credit, or restrict the circulating medium. The suddenly making penal an act, innocent in itself, is likewise to be avoided. A knowledge on the part of the public, that such a measure as the Bill now reserved will probably soon become law, will tend to cure the evil against which you wish to legislate.

5. The resolutions your Honorable House has placed before my predecessor and myself are of various descriptions. Some of them have already been replied to by message. The remainder I shall now notice.

I assure you that all those having for their object the initiation, on my part, of new laws shall have my earnest consideration during the recess, and that the measures you propose, and of which I see the necessity, shall be put in proper shape for your consideration before we next meet.

6. Some other of your resolutions relate to questions of Executive Administration, such as the appointment of unpaid Justices of the Peace, Notaries Public, an additional Stipendiary Magistrate for the Shuswap and Similkameen districts, and the separation of the Office of Auditor from that of Colonial Secretary. I concur with you in the two first, and shall give due attention to the third and fourth resolutions. I may, however, intimate as regards the last, that the time is possibly not very far distant when a Legislative Body with a larger elective element will, periodically, appoint its own Committees to examine the public accounts.

7. I come now to the most important resolutions of the Session; those which request that vast sums of money, to be expended on public works, be placed upon the Supplementary Estimates, and then embodied in a second Appropriation Act. I see reasons, which appear to me of great importance, for delaying the introduction of the new Appropriation Act, until I am able to call you together again in November. One of these reasons, I may mention, is that the money you propose to expend is not yet in our possession. Another is that I am reluctant to refuse, without more information than I can now possibly possess, certain petitions, which come before me with the great weight of your recommendation, while, on the other hand, I am almost equally reluctant to give a legal sanction to any expenditure of money, of the necessity of which I am not satisfied. I propose, therefore, to adopt the course of considering each of the resolutions of your Honorable Council, passed as they were freely, without solicitation from the Governor, as an authority for him to expend the amount therein mentioned, in the manner therein specified, in anticipation of the Supplementary Appropriation Act.

Full explanation of all that has been done in the recess shall be laid before you at your next meeting.

8. And here I must warn you that the progress of the public works will not, in all probability, be as rapid as we could desire. The resources on which we depend, the proceeds of the loan of £100,000 to be raised in London, can hardly be available until late in the year.

The Act only left this Colony towards the end of March, and will not, therefore, reach England till late in May. We can hardly assume that less than a month will suffice for the various operations necessary for placing the funds at our disposal, and then another period of six weeks or two months will probably elapse before we are acquainted with the results.

9. I have to announce my entire concurrence in the Resolutions for the Survey of a road from Quesnel Mouth to Cariboo, and for the expenditure of £40,000, in addition to the amount already granted, for the improvement of communication in the district in question. I look upon the facilitating of access to the rich gold fields of the North-east as at present the paramount duty of the Governor and Council of this Colony; indeed so convinced am I of the importance of this work, that I may perhaps, in anticipation of the proceeds of the Loan, divert for its prosecution, from the ordinary Revenue, certain sums voted for other purposes. Should I do so, and any unexpected impediment prevent the early success of the Loan, I shall lay before you an Indemnity Act at your next session.

10. A consideration of the manner in which the Country is to be opened, leads me to allude to a question of administration which, as it appeared to be connected with a money vote, has been already placed before you. A gentleman has been nominated, by the Secretary of State, to be Surveyor General of this Colony. That gentleman is at present disqualified from holding the office, by his possession of property on one of the competing roads to the diggings, which would lose value by the improvement of the rival route. Mr. Trutch, the gentleman in question, shall be again invited to qualify himself to fill the post he would suit so well, by divesting himself of all interest in this Colony, which might expose his public acts to suspicion and unfavorable comment. Should any arrangement be made by the Government for the purchase of Mr. Trutch's rights—an arrangement better avoided—full particulars shall be laid before you early next session.

11. You have placed £8,000 at the disposal of the Government for the formation of a waggon road from Hope to Yale. This work is desirable, though not indispensable. If the road were not completed, the vast majority of the up-country traffic would still, during the greater part of the year, give a preference to the river over the road; the performing of this work, however, is only a question of time. It will surely come should the Colony continue to progress at its present rate. I should, however, wish to state that instructions have been already given by me for placing the communication on the most important portion of this line—that between Yale and Emory's Bar—in good condition.

12. I see £10,000 given for the erection of public buildings in New Westminster. Unquestionably our present public buildings are shabby and inconvenient, and others must ere long be erected. In a young Colony like this, good accommodation for our public officers is not the primary necessity. The first duty is to improve our communications and develop the resources of the land, and I consider that I am doing more for New Westminster in sanctioning, as I most willingly do, the establishment of a Light Vessel at the mouth of the Fraser, than if I at once commenced the erection of public buildings. Our Capital will likewise receive great benefit should we succeed in obtaining Steam Communication between it and San Francisco. I concur in your resolution on this subject, and shall take early steps in furtherance of it.

13. The formation of roads in and about New Westminster, for which you have voted £10,000, shall be attended to. I accept the additional £3,000 for the repair of the Yale and Clinton road, and generally the smaller sums included in the same resolution of the 4th of February. I specially thank you for the additional sums you have given for Schools and Hospitals. The donation for the latter purpose shall, as you desire, be equally divided between Cariboo and New Westminster.

14. The offering of prizes, to encourage exploration and a more thorough development of the resources of the Colony, proposed in your resolution of the 24th February, is sanctioned by me, and a notice thereof shall be duly published in the newspapers of this and the neighbouring Colony of Vancouver Island.

15. And now I must notice your resolution, of yesterday's date, protesting against any union with the Colony just named. I shall forward that resolution to His Grace the Secretary of State, and strongly express my opinion that British

Columbia has grown too large for a return to the old system to be possible. Whether union under other conditions might hereafter be acceptable, I am at present unable to say. I would however observe that, from my short experience, I am inclined to think that an efficient administration of the affairs of British Columbia, alone, would be enough to engross the whole attention of a Governor.

16. Your resolution of yesterday's date—message No. 40—respecting the Indian Reserves, shall have, as it deserves, my anxious consideration. I have not yet sufficient experience to deal with the question.

17. The choice of a good site for the Public Buildings at Lillooet shall at once be made.

18. The Petition of the people of Hope, dated March 18th, and forwarded in your resolution of the 4th of April, cannot be granted without an alteration in the law, which it is now too late to effect.

19. I am not yet impressed with the necessity for increasing the salary of the Postmaster General. I shall consider the question during the recess.

20. Most of you Honorable Gentlemen are about to resume your public or private duties in the Country districts. I trust you will find there tranquillity and prosperity existing among the heterogeneous population, which the attractions of our Gold has drawn to the Colony. It will be through no fault of mine, if you do not soon see the Surveyor's gangs upon your roads, and public energy beneficially following close upon the footsteps of private enterprise.

21. With full acknowledgment of the zeal and ability you have shewn during this important Session, it now only remains for me to bring it to a close. I now therefore, in Her Majesty's name, prorogue this Legislative Council; and the same is hereby prorogued accordingly.

JOURNALS
OF THE
LEGISLATIVE COUNCIL
OF
BRITISH COLUMBIA

FROM THE 12TH DECEMBER 1864, TO THE 11TH APRIL, 1865

IN THE
28TH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA

BEING THE SECOND SESSION OF THE LEGISLATIVE COUNCIL OF
BRITISH COLUMBIA

ROLL

OF THE

HONOURABLE THE LEGISLATIVE COUNCILLORS

OF

British Columbia,

FOR THE SECOND SESSION OF THE LEGISLATIVE COUNCIL,
BEING THE YEARS 1864-65. 28° VICTORIÆ.

ARTHUR N. BIRCH, _____ COLONIAL SECRETARY, AND PRESIDING MEMBER.

HENRY P. PELLEW CREASE, _____ ATTORNEY GENERAL.

CHARLES WILLIAM FRANKS, _____ TREASURER.

WYMOND OGILVY HAMLEY, _____ COLLECTOR OF CUSTOMS.

CHARTRES BREW, _____ MAGISTRATE, NEW WESTMINSTER.

PETER O'REILLY, _____ DO. CARIBOO.

HENRY MAYNARD BALL, _____ DO. LYTTON.

ANDREW CHARLES ELLIOTT, _____ DO. LILLOOET.

JOHN CARMICHAEL HAYNES, _____ DO. OSOYOOS AND KOOTENAY.

JOSHUA A. REYNOLDS HOMER, _____ NEW WESTMINSTER DISTRICT.

HENRY HOLBROOK, _____ DOUGLAS AND LILLOOET DISTRICT.

CLEMENT FRANCIS CORNWALL, _____ HOPE, YALE, AND LYTTON DISTRICT.

GEORGE ANTHONY WALKEM, _____ CARIBOO EAST AND QUESNEL FORKS DISTRICT.

WALTER MOBERLY, _____ CARIBOO WEST AND QUESNELMOUTH DISTRICT.

BRITISH COLUMBIA



FREDERICK SEYMOUR.

{ L.S. }

PROCLAMATION

By His Excellency FREDERICK SEYMOUR, ESQUIRE, Governor and Commander-in-Chief of the Colony of British Columbia and its Dependencies, &c., &c., &c.

*To all whom it may concern,
Greeting.*

WHEREAS, for divers good causes and considerations, it is expedient, forthwith, to dissolve the existing Legislative Council of British Columbia; **NOW KNOW YE THAT I, FREDERICK SEYMOUR**, under and by virtue of the powers and authorities vested in me in that behalf, **DO** hereby declare and proclaim that the Legislative Council of the Colony of British Columbia and its Dependencies be dissolved as and from the day of the date hereof, and the same is hereby dissolved accordingly.¹

GIVEN under my hand and the Public Seal of the Colony, at Government House, New Westminster, in the Colony of British Columbia, this twenty-first day of October, in the year of Our Lord one thousand eight hundred and sixty-four, in the twenty-eighth year of Her Majesty's Reign.

By Command.

CHARLES GOOD,
for the Colonial Secretary.

NOTICE

COLONIAL SECRETARY'S OFFICE,
28th October, 1864.

WHEREAS, by an Order of the Queen in Council, dated the 11th day of June, A.D. 1863, a Legislative Council for the Colony of British Columbia was constituted and established, such Legislative Council to consist of such Public Officers within the said Colony, as shall from time to time be designated, and of such persons as shall from time to time be named, by or in pursuance of any Instructions or Warrant under the Royal Sign Manual and Signet, and of such other persons as may from time to time be appointed by the Governor, by Instruments to be passed under the

¹ The Colonial Office informed Seymour that he could not legally "dissolve" what was technically a Crown Council, and that the acts of this new council were therefore of questionable validity. To rectify this error, the Secretary of State for the Colonies instructed Seymour to reappoint the existing council and enact confirmatory legislation validating the proceedings of this session of the Legislative Council, a course of action that was taken at the beginning of the 1866 session, after consideration in the Executive Council. For correspondence relating to this matter, see Cardwell to Seymour, 3 March 1865 and 7 October 1865, Separate, CO 398/2, pp. 299–302, 365–73; Seymour to Cardwell, 18 May 1865, and 12 June 1865, Confidential, enclosing Crease to Seymour, 7 July 1865 (Secret), CO 60/21, pp. 508–18, and CO 60/22, pp. 107–25. See also the minutes of the Executive Council, 18 and 19 January 1866, and minutes of the Legislative Council, 18, 22, and 23 January 1866.

Public Seal of the said Colony, provided however that every such last mentioned appointment shall be provisional only until the same shall have been approved by Her Majesty, through one of the Principal Secretaries of State. AND, WHEREAS, Her Majesty, by Instructions issued under the Royal Sign Manual and Signet, and dated the 31st day of July, A.D. 1863, hath appointed and declared that the following Public Officers shall, during Her pleasure, be Members of the said Legislative Council, that is to say the respective Officers lawfully acting for the time being

As Colonial Secretary for the said Colony,
 As Attorney General for the said Colony,
 As Treasurer for the said Colony,
 As Chief Commissioner of Lands and Works for the said Colony,
 As Collector of Customs for the said Colony.

NOW THESE ARE TO NOTIFY AND DECLARE that in pursuance of the power and authority given as aforesaid, the Governor has constituted and appointed the undermentioned Magistrates to be, during Her Majesty's pleasure, Members of the said Legislative Council, viz:

The Honourables

Chartres Brew, Magistrate, New Westminster,
 Peter O'Reilly, Magistrate, Cariboo,
 Henry Maynard Ball, Magistrate, Lytton,
 Andrew Charles Elliott, Magistrate, Lillooet,
 John Carmichael Haynes, Magistrate, Osoyoos and Kootenay.

The following appointments to the Council have also been made by the Governor, in deference to the wishes of the people, as expressed in the Districts mentioned after each Honorable Member's name:

The Honourables

Joshua Attwood Reynolds Homer, New Westminster,
 Henry Holbrook, Douglas and Lillooet,
 Clement Francis Cornwall, Hope, Yale, and Lytton,
 George Anthony Walkem, Cariboo East and Quesnel Forks,
 Walter Moberly, Cariboo West and Quesnelmouth.

Provided always that such appointments as last mentioned shall be provisional only as aforesaid, and provided also that they shall continue in force, unless previously determined, until the 1st day of May, A.D. 1866, and no longer. AND THESE ARE FURTHER TO NOTIFY, SUMMON, AND CONVENE the various Officers and Persons, as aforesaid, to meet at New Westminster, on the 12th day of December, in the year of Our Lord one thousand eight hundred and sixty-four.

By Command.
 ARTHUR N. BIRCH.

Monday, the 12th day of December, 1864.

Pursuant to the above notice the Legislative Council met this day, the following Members being present:—The Honourables The Colonial Secretary, The Attorney General, The Treasurer, The Collector of Customs, Chartres Brew, J.P., Peter O'Reilly, J.P., Henry Maynard Ball, J.P., J. A. R. Homer, Henry Holbrook, G. A. Walkem, and W. Moberly.

At 2 o'clock, P.M., His Excellency Frederick Seymour, Esquire, Governor of the Colony, entered the Council Chamber, attended by his Private Secretary, and being seated in the President's Chair, administered the usual oath of allegiance and office to the Members present, who severally subscribed the same.

His Excellency then delivered the following gracious Speech:

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

It is with great satisfaction that I meet you to-day, and invite you to enter with me upon our Legislative duties.

I think it highly desirable that we should, before Christmas, dispose of all the work of the year which is about to close. For this reason I shall only lay before you the Supplementary Estimates, and the Bill necessary to give a legal sanction to the payments which have been made under the authority of Resolutions of the late Council, and such as an unforeseen emergency has necessitated.

The late Council voted £216,400 for the Public Service of the year 1864—£135,639 by Ordinance, sanctioned by my Predecessor, and £80,700 by Resolutions. The total Expenditure, up to the 1st instant, has been, as nearly as it is possible for me to ascertain, £153,000, including the remittances to the Crown Agents for Interest and Sinking Funds on the Loans which will not be brought to account this year, and also the arrears of Expenditure of previous years, which amounted to £16,824, leaving the actual Expenditure under the Estimates and Resolutions, for the eleven months, a little over £136,000. The probable disbursements for this month will be £8,000, showing on the year an Expenditure less by £72,000—including the unforeseen expenses—than that sanctioned. The payments made under Ordinance fall short of the Estimates by some £16,000; those under Resolutions by £56,000. I regret to say that the Public Revenue will fall short of the Estimate by about £13,000.

The principal public works performed during the year have been:—the formation of roads in the Cariboo District, the maintaining in repair of the main lines of communication, the re-opening of the trail over the Cascade Mountains at Hope, the commencement of the road from New Westminster to Burrard Inlet, the opening of a sleigh road from Quesnelmouth to Alexandria. Much more would have been done, but for two causes which came into operation almost simultaneously. The rise of the rate of discount in England made it difficult to procure, except on the most unfavourable terms, the money proposed to be borrowed under the Act of last Session. The sudden discovery of the valuable gold mines on the Kootenay rendered it expedient that a large amount of capital should be kept in hand for opening the communication between the Fraser and new diggings. We have drawn against the Loan only to the extent of £26,300, leaving £73,700 as probably available for the service of 1865. As it is of importance that the line of travel to the Kootenay mines should be selected with the utmost care, it will be satisfactory for you to know that three distinct expeditions are now exploring in that direction.

I regret that the want of money has prevented the establishment of a Light Ship at the Mouth of the Fraser. The necessary amount shall appear again in the Estimates for 1865. An appropriation will be asked for in aid of the establishment of Steam communication with Panama.

You will have anticipated my explanation that the great outlay on unforeseen contingency was caused by the suppression of the Chilicoten Insurrection of last summer. The expense incurred in this way was about £16,000.

A party of road makers, well provided with food but unarmed, lay down to sleep among a number of armed Indians, who were almost in a state of starvation. Let me do justice to the dead. On the scaffold at Quesnelmouth, it was stated that they gave no provocation. But so it was; the Indians were suffering all the pangs of hunger, while the white men slept unarmed. An attack was made on the sleepers at day break, and but three of them escaped. The Indians, leaving the greater part of their booty behind them, on account of the difficult nature of the country, crossed the Cascade range. They appear to have received considerable reinforcements before they reached the house of a white Settler on Benshee Lake. He was soon dispatched, and the assassins, with continually swelling numbers, advanced to meet a pack train with eight drivers, approaching from Bentinck Arm. Three of these men were killed. Five, by an amount of dexterity and good fortune which seems marvellous, managed to effect their escape. Favoured by impunity the assassins soon became promoted to the dignity of insurgents, by the adhesion of the whole Chilicoten tribe, from the summit of the Cascade Mountains to the benches of the Fraser.

The ruggedness of the Coast range, aided by the absence of all means of transport, seemed to debar us from access to the Chilicoten country from the Sea, but an expedition under a gentleman of great reputation for courage and skill in dealing with the Native tribes of the Colony had left the Upper Fraser for the interior. The force of twenty-five men, suggested by my predecessor, had become by circumstances so obviously insufficient, that the Commander in the exercise of the wide discretion confided to him increased it to sixty-five. That number was found in a log Fort on the summit of a hill near Benshee Lake, when joined on the 6th July by another party of 38 Volunteers from New Westminster, who had been conveyed by Admiral Kingcome to Bentinck Arm.

Though after a first brush with the Natives, the white flag floated over the Fort from the 13th of June to the 7th July, no steps tending towards conciliation had been made by the Indians, and when the Northern Volunteers marched at day break, on the 7th of July, towards the Bute Inlet Mountains, they were still in doubt as to the reception they would meet with from the Indians. It was one, I regret to say, of deadly hostility.

A scarcity of food reduced the New Westminster party to apparent inaction when left alone at Benshee, but the time was well spent in securing the confidence of the Eastern branch of the Chilicoten Indians, whose Chief had taken no active steps in the extermination of the whites. As women and children, and finally men, were allowed to leave the Volunteer Camp unharmed, according to promise, the Chief was finally induced to present himself to the Governor on the 20th of July, the day on which the Alexandria Volunteers returned to Benshee.

It is well known to you how the New Westminster party then ransacked the remotest recesses of the Bute Inlet Mountains; how the Indian Chiefs, harassed by the bands of Volunteers which had come upon them from the opposite points of the compass, found themselves without food or fire, reduced to the sole alternatives of suicide or surrender.

It is my duty to speak with the utmost praise of the men who came forward from Cariboo and New Westminster, to engage in a conflict formidable from the nature and extent of the Country over which it raged, and one in which it appeared at one time as if famine were about to fight on either side. I saw more of the party raised in this neighbourhood, and can confidently say that, strengthened as it was by a large and admirable Military element, the force numerically small, could scarcely have been surpassed in efficiency and good conduct in the Mother Country, or any one of Her Colonies. The Alexandria Volunteers presented an equally fine and formidable appearance.

With the advice of the Executive Council, the Legislature not being in Session, I have ordered certain testimonials of intrinsic value for presentation to Mr. Brew and Mr. Cox, the leaders of the respective expeditions, in acknowledgment of their valuable services.

I propose to lay before you, in January, Bills having the following objects in view:

- 1st. To amend the Laws of Bankruptcy and Insolvency;
- 2nd. To amend those regulating the disposal of the Crown Lands;
- 3rd. To make Waggon's pay Toll according to the amount of damage the insufficient width of their tires is calculated to inflict upon the public roads;
- 4th. A Bill to remodel the Postal Service;
- 5th. A Bill to consolidate and amend the Mining Laws;
- 6th. A Bill to amend the Law of Evidence, two Telegraph Bills, and others, perhaps, of minor importance.

I trust, likewise, to be able to submit to you a Bill proposing to make important changes in our fiscal arrangements, with a view to increase the commerce of the Colony.

The present state of our north-west coast shall receive my particular attention, and the question of Education shall form the subject of a special message.

I shall suggest an alteration in the mode of keeping the public roads in repair. You will find that the contracts entered into by my predecessor have caused an excess of Expenditure over the Estimates of a sum exceeding £9,000 on this account.

I fear that I shall disappoint some persons when I state that I shall have no Bill embodying an "Indian policy" to lay before you. The Government has its policy—always, we trust, just and firm, stern or merciful as occasion may require; last

summer straining the resources of this young Colony to secure justice—not vengeance; this winter to feed, if necessary, some of those whom the energetic pursuit of our Volunteers has reduced to starvation. If you can introduce any measure by which such principles of honesty and honour can be implanted in the breasts of all the white traders among the Indians, the Bill shall have my most cordial approval.

You are probably aware that the House of Assembly of a neighbouring Colony has passed certain resolutions in favour of a conditional union with British Columbia, under one Governor. These resolutions shall be laid before you. Without entering into details, it may perhaps be convenient that I should at once express my opinion on the subject. I think it would be better for Imperial interests that Great Britain should not be represented by more than one Governor to the westward of the Rocky Mountains, and I can imagine cases in which both the Governors, as well as the Officer in command of Her Majesty's Naval forces, might be considerably embarrassed by the present state of things. But the unaided power of the prerogative is fully able to remove the present inconvenience to Her Majesty's service if it be found considerable, and I advise you merely to consult your local interests. I do not see at present how British Columbia would gain by the suggested change, and I am rather disposed to think that a longer separation is necessary before a satisfactory re-union could take place. Let time remove the impression which exists in some minds that the resources of the one Colony have not yet been fully developed, while the prosperity of the other has been somewhat artificially stimulated.

I trust Honourable Gentlemen of the Council that you will close the accounts of this checkered and not over prosperous year before it expires. We shall then be able to devote our undivided attention to the more pleasing task of contributing by every means in our power to the brighter future which seems opening before us.

His Excellency then left the Council Chamber.

The Hon. The Colonial Secretary took the Chair as Presiding Member.

On the motion of the Hon. the Colonial Secretary, the Hon. P. O'Reilly seconding,
Ordered, That His Excellency the Governor's Speech be printed for the use of Members.

Then, on the motion of the Hon. the Attorney General, the Hon. Mr. Moberly seconding,

Ordered, That a Select Committee, to be named by the Presiding Member, be appointed to draw out and submit a reply to His Excellency's gracious Speech.

The following honourable gentlemen were appointed accordingly:—The Honourables the Attorney General, the Collector of Customs, Mr. O'Reilly, Mr. Homer, Mr. Moberly.

Then, on the motion of the Hon. Mr. Ball, the Hon. Mr. Holbrook seconding, the Council adjourned till Friday next, at 3 o'clock in the afternoon.

Friday, the 16th day of December, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. the Attorney General, The Hon. the Treasurer, The Hon. Messrs. O'Reilly, Homer, Holbrook, and Moberly.

The Hon. the Attorney General in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General, the Chairman of the Select Committee appointed to prepare an Address in reply to His Excellency's opening speech, brought up a Report, and the same was read as followeth:

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Council of British Columbia, have received, with unfeigned pleasure, Your Excellency's gracious Address, on the opening of this, the second Session of the Legislative Council of this Colony, on the 12th instant.

Our earnest efforts will be given to take advantage of the brief portion of 1864, which yet remains to us, to carry through the financial business and Supplementary Estimates of the present year.

We rejoice at the termination of the Chilicoten Expeditions, and at the success which has attended their exertions. While paying every tribute due to the leaders and private members of these Expeditionary Corps; to the ready and valuable assistance of Rear-Admiral Kingcome and the Service under his command; it is impossible for us to pass over in silence the share which Your Excellency's presence in the country of the Chilicotens, had in the subjection and pacification of those wild tribes.

It is a subject of congratulation that Your Excellency has so promptly pressed on the opening of the Interior communications, on which so much of the success of the Country depends; and that the establishment of direct Steam communication with Panama is to form part of our Legislation.

We are the less inclined to lament the financial circumstances at Home, which have impeded the full issue of our latest Loan, in that they will, we trust, have been the means of enabling Your Excellency, besides completing the works now on hand, to open up a line of road, which will induce the main traffic of the new and important Gold Mining Region of Kootenay, to pass through the interior of our own Territory.

The numerous and important subjects, laid down for the Legislation of the coming year, will have our anxious and undivided attention.

With regard to the partial Resolutions of the Legislature of the neighbouring Colony, in favour of Union on specific terms, which Your Excellency has been graciously pleased to promise to lay before this Council, we cannot disguise from Your Excellency that we see no reason for changing the opinion, deliberately and unanimously expressed by the late Council, in the Resolution of the last Session, transmitted to Her Majesty's Government: that an Union with the neighbouring Colony would be inexpedient and disadvantageous to British Columbia; a view in which, we are glad to see, Your Excellency concurs.

We have the less hesitation in expressing these views at the present time, as we hope thereby to set this question finally at rest; and so the better to respond to Your Excellency's invitation to concentrate our efforts on the work more immediately before us.

ARTHUR N. BIRCH,
Presiding Member.

*Council Chamber,
16th December, 1864.*

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. O'Reilly seconding,
Ordered, That the Report be received and the Committee discharged.

On the motion of the Hon. Mr. Homer, Hon. Mr. Moberly seconding,
Ordered, That the Address in reply to His Excellency's opening Speech, as prepared by the Select Committee appointed for that purpose, be now adopted.

On the motion of the Hon. Mr. Holbrook, Hon. Mr. Moberly seconding,
Ordered, That the Address be engrossed and signed by the Presiding Member.

On the motion of the Hon. Mr. O'Reilly, the Hon. Mr. Homer seconding,
Ordered, That the Address be presented to the Governor by the whole House.

On the motion of the Hon. the Treasurer,
Ordered, That the Presiding Member be requested to ascertain at what hour His Excellency would be pleased to receive the Address.

The Hon. Mr. Holbrook gave notice of motion.

Then, on the motion of the Hon. Mr. Holbrook, the Council adjourned till 3 o'clock P. M., on Monday the 19th instant.

Monday, the 19th day of December, 1864.

The Council met at 1 o'clock, pursuant to a special notification from His Excellency.

Present.—The Hon. the Colonial Secretary, the Hon. the Attorney General, the Hon. the Collector of Customs, the Hon. Messrs. O'Reilly, Ball, Homer, Holbrook, Walkem, and Moberly.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Colonial Secretary stated that he had, in pursuance of the wish of the Council, seen the Governor in reference to receiving the Reply to the Address, and that His Excellency would be pleased to receive the Council at once.

On the motion of the Hon. Mr. O'Reilly, the House then adjourned during pleasure.

On the House resuming its sitting, the Hon. the Colonial Secretary informed the Council that, in compliance with the order of the Council, he, accompanied by several Members of this Council, had attended upon His Excellency with the Address adopted by the Council in reply to His Excellency's Speech, and that His Excellency had been pleased to make thereto the following answer:

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

I have to thank you for the Address you have been good enough to present to me. I am glad to find that you are prepared generally to approve of the policy of the Government, as represented in the retrospective review I recently laid before you. Let us hope that the same concurrence of opinion may exist upon the more important matters which I shall bring before you early in January.

The Supplementary Estimates shall be laid before you to-day, and it is my desire that every information be furnished you respecting all payments therein specified.

I may now state that it is my intention to take my seat as a Member of your Board, rarely, if ever, during the present and approaching Session. I think freedom of debate, and the maintenance of the present mutual good feeling, will be best promoted by our acting, in most cases, as two distinct branches of the Legislature. I would however beg to assure you that I shall, at all times, during both Sessions, be ready to receive any Member or Members of your body who may desire a personal conference with me.

FREDERICK SEYMOUR

*Government House,
19th December, 1864.*

A Message from His Excellency the Governor was delivered to the Hon. the Presiding Member, by D. C. Maunsell, Esq., His Excellency's Private Secretary, and the same was read as followeth:

Message No. 1.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council the Supplementary Estimates for the service of the present year.

Full information respecting them will be furnished by the Colonial Secretary and other Officers present in Council.

*Government House,
19th December, 1864.*

On the motion of the Hon. the Colonial Secretary,

Ordered, That the Council do resolve itself into a Committee of the whole on the Supplementary Estimates.

The Council resolved itself into the said Committee accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported that the Supplementary Estimates had been gone through, and that the sum of £60,076 8s. 8d. had been duly voted.

Resolved, That the House be recommended to grant a supplementary supply of £60,076 8s. 8d.

The Hon. Mr. Holbrook moved,

The Hon. Mr. Homer seconding,

And it was *Ordered*, That the accompanying Standing Orders, being those used by the late Council, be continued as the Standing Orders of the present Council until new ones be prepared.

The Hon. Mr. Holbrook gave notice of 2 motions.

The Hon. Mr. Homer gave notice of motion.

The Hon. Mr. Walkem gave notice of motion.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 3 o'clock to-morrow afternoon.

Tuesday, the 20th day of December, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. the Colonial Secretary, the Hon. the Attorney General, the Hon. Messrs. O'Reilly, Ball, Homer, Holbrook, and Walkem.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Homer moved,

Hon. Mr. O'Reilly seconded,

And it was *Resolved*, That as the heavy expenditure in connection with the Chilicoten Expedition was in no way brought about by the inhabitants of this Colony, but in consequence of the actions of persons living out of the Colony, and over whom the Government of British Columbia had no control, therefore this Council deems it necessary and just that the Home Government should be respectfully asked to pay one half of the cost incurred by the said expedition, and that this Resolution be forwarded to His Excellency the Governor for transmission to Her Majesty's Principal Secretary of State for the Colonies.

The Hon. Mr. Holbrook asked the Colonial Secretary if the report were true that several of our Volunteers were arrested when passing through the Colony of Vancouver Island, at the time they were under arms to put down the insurrection among the Indians of the Chilicoten Country, and if any steps will be taken against the parties engaged in such arrests, if the report be true?

The Colonial Secretary replied that it was impossible to conceive that the Government of Vancouver Island had any connivance or complicity in the arrests alluded to, although he had no doubt that such arrests had been made. It was therefore impossible for this Government to take any action in the matter. The Council would observe that the Governor had expressed his intention of altering the laws of Bankruptcy, so that if such disgraceful proceedings could be carried on in Vancouver Island they should not be possible in this Colony.

A Message from His Excellency the Governor was delivered to the Hon. the Presiding Member by D. C. Maunsell, Esq., His Excellency's Private Secretary, and the same was read as followeth:

Message No 2.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance granting a Supplementary Supply of Sixty thousand and seventy six pounds, eight shillings and eight pence, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year one thousand eight hundred and sixty-four.

*Government House,
20th December, 1864.*

On the motion of the Hon. the Attorney General,

Ordered, That this Bill be now read the first time.

Read first time accordingly.

On the motion of the Hon. Mr. Ball,

Ordered, That the Standing Orders be suspended in order to allow the Bill in question to be read second time.

Read second time accordingly.

On the motion of the Hon. the Attorney General,

Ordered, That the Council do now go into Committee of the whole on the said Bill.

The House went into Committee accordingly.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through without amendments.

On the motion of the Hon. the Attorney General,

Ordered, That the Bill be read the third time to-morrow.

The Hon. Mr. Holbrook moved, the Hon. Mr. Moberly seconding,

That the Home Government be respectfully asked to send part of a Regiment of Soldiers to this Colony for our protection, as such would be the means of keeping the Indians quiet when they knew such a force existed in the Colony, and His Excellency be respectfully requested to send a copy of this Resolution to the Secretary of State for the Colonies.

Moved in amendment by the Hon. Mr. Crease, seconded by the Hon. Mr. Hamley,

Resolved, That knowing that, under present arrangements, Her Majesty's Government expects Colonies requiring Military aid to meet the Colonial pay of any such force, and while this Council is aware that the state of the Revenue does not admit of asking for Military aid on these terms, it respectfully requests that the Home Government will, with the view of making provision for the defence of this Colony, order that a sufficient portion of Her Majesty's Pacific Squadron may be permanently stationed in the Fraser River, and on the Coast of British Columbia, and the great inconvenience which at present arises may be avoided, viz: that when any sudden emergency occurs assistance has to be sent for as far as Esquimalt, Vancouver Island; and that this Resolution may be forwarded to His Excellency for transmission to Her Majesty's Principal Secretary of State for the Colonies.

On the amendment being put the Council divided,

Ayes 8, Noes 1,

So it was *Resolved* in the affirmative.

On the original Resolution being put the Council divided,

Ayes 1, Noes 8,

So it passed in the negative.

The Hon. Mr. Walkem moved, the Hon. Mr. Homer seconding,

That all correspondence between the Hon. the Collector of Customs and the Auditor General, with regard to the Refund of Customs duties, be produced.

Correspondence produced and read.

The Hon. Mr. Holbrook gave notice of motion.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 3 o'clock, to-morrow afternoon.

Wednesday, the 21st day of December, 1864.

The Council met at 3 o'clock, pursuant to adjournment.

Present.—The Hon. the Colonial Secretary, the Hon. the Attorney General, the Hon. the Collector of Customs, the Hon. Messrs. O'Reilly, Ball, Elliott, Haynes, Homer, Holbrook, and Walkem.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the third reading of the Supplemental Supply Bill,

Ordered, That the same be read a third time.

Read a third time accordingly.

On the motion of the Hon. Mr. O'Reilly,

Resolved, That this Bill do pass, and that its title be "An Ordinance granting a Supplemental Supply of Sixty thousand and seventy-six pounds, eight shillings, and eight pence, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the service of the year 1864."

His Excellency the Governor introduced into the Council Chamber two Members of Council, Andrew Charles Elliott, Esquire, and John Carmichael Haynes, Esquire, and His Excellency, having taken the President's Chair, administered the usual oaths of allegiance and office to the new Members, who severally subscribed the same, and took their seats at the Council.

His Excellency then prorogued the Council in the following Speech:

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

I must express to you my best thanks for the prompt manner in which you have passed the Supplementary Appropriation Ordinance, to which I assent in the Queen's name, and have concluded the financial business of the year.

I have received your Resolution, requesting me to convey to Her Majesty's Secretary of State the opinion of the Council, that one-half of the expenses incurred in connection with the Chilicoten expeditions should be defrayed from the Imperial Treasury. I have to a certain extent anticipated your wishes in this respect, but your Resolution, which I shall duly forward, cannot fail to give additional weight to my representations.

I shall, likewise, be able to adduce your Resolution respecting the very imperfect arrangements now existing for the defence of the Colony, in support of some statements on the subject already made by me.

I see no reason for depriving you of the holiday which we should wish all to enjoy at this time of the year, and I therefore now prorogue your Honourable Council to the 12th of January, 1865; and the same is hereby prorogued accordingly.

Thursday, the 12th day of January, 1865.

Present.—The Hons. the Colonial Secretary, the Collector of Customs, the Attorney General, the Treasurer, C. Brew, P. O'Reilly, H. M. Ball, J. A. R. Homer, H. Holbrook, G. A. Walkem. and W. Moberly.

At 3 o'clock, His Excellency Frederick Seymour, Esquire, Governor of the Colony, entered the Council Chamber, accompanied by his Private Secretary, and, being seated in the President's Chair, administered the usual oath of allegiance and office to Clement Francis Cornwall, Esquire, the Member for the Yale and Lytton District, who was introduced by the Hon. the Colonial Secretary, and, having subscribed the oath, took his seat at the Council.

His Excellency then delivered the following gracious Speech:

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

Her Majesty's Royal Commands "direct and require me to frame and propose to "the Council for their adoption such Standing Rules as may be necessary for the "conduct of business, which Rules and Orders shall at all times be followed and "observed, and shall be binding upon the said Council, unless the same or any of "them be disallowed" by "Her Majesty."

2. The Royal Instructions leave me great discretionary power, and I have availed myself of it to give greater Legislative independence to the Council. The right of Members to introduce Bills is conceded. The mode in which business shall be conducted between the Governor and the Council, in their future usual position of distinct branches of the Legislature, is regulated with a view to your freedom of action, and you will find that nearly all the powers generally belonging to an elected Assembly are conferred on you. I trust that year by year we shall, without unduly weakening the Executive action, be able to take steps towards giving to the people a more direct share in the Government of the Colony.

3. Her Majesty specially directs me to make such Rules as may be necessary "to ensure punctuality of attendance of the Members of Council." With this object, I propose to give the President for the time being, with the consent of the Council, authority to fine Members for non-attendance. This provision is taken from the Rules of an Elective Assembly with which I was recently connected. I lay the Standing Rules before you.²

4. The Acts of the last Session have, with three exceptions, received Her Majesty's approval. A decision on the Customs Bill is deferred. The Ordinance regulating Inland Navigation cannot be submitted for the Queen's allowance in its present shape. The Secretary of State has not yet acquainted me with his views on the Bill intended to regulate the issue of Bank Notes.

5. The Estimates of expected Receipts and proposed Expenditure for the year shall be laid before you without delay. When you are in possession of the financial details, I think that you will concur with me in the opinion that our present Revenue is insufficient to meet the large outlay absolutely required. The Import duties are generally as high as trade can bear, and the Road Tolls should be reduced as soon as it becomes financially possible. It seems to me, therefore, that if we must increase taxation, that we should follow in the direction pointed out by the late Council, and I may add, by the late Secretary of State, and impose a duty on the export of Gold. I regret to have to suggest that we should cast any burden upon the Miners; but I would observe that the whole amounts raised by Loan have been expended for their benefit. It is no use closing our eyes to the fact that it is within the range of possibility that more tempting mines may depopulate our own Gold

² These Standing Orders were printed as an appendix in the *Journals of the Legislative Council of British Columbia*, 12 December 1864 to 11 April 1865 (New Westminster Government Printing Office, 1865), and are reprinted in Appendix A, p. 386.

districts, and the responsibility of the payment of the large loans contracted or authorized must rest with the settled residents alone. The migratory Miner, and the non-resident trader, may escape from all liability to our London creditors. I propose that the receipts from Gold, if the duty be imposed, shall be a separate fund, appropriated by Law to the benefit of the Mining Districts to be laid out in facilitating access to them; improving their internal communications; prospecting and exploring for the richer metals, and generally, for the sanitary and social benefit of the Mining population.

6. You will find, as usual, in the Estimates, that the principal amounts required are for the making and repairing of Roads to the Mines. First in importance is the Road which must be made to the Kootenay. I regret to say that as yet we have not discovered a line of Country to the new mines, which may without hesitation be pronounced to be the one upon which all the resources we can command should be expended. But Exploration is still going on, and I trust that before the Council is prorogued some satisfactory result will be announced. Should such not be the case, it will be our duty in the early spring, as a temporary expedient, to use every effort to make the present trail by Hope conveniently available for pack trains.

7. The Estimates contemplate a large outlay on the Roads in Cariboo, including the formation of a Street to connect Camerontown with Richfield. The claims of those who have made this Colony their home, and who are responsible for the Public Debt, should not be disregarded; and I propose to expend out of the Moneys to be raised on Loan such moderate amount as may, should the Municipal Council consent, make one or more of the main thoroughfares of New Westminster creditable to the seat of Government of this large and important Colony.

8. The erection of Public Buildings has become urgently necessary in more than one town. Moderate grants shall be asked for this purpose, and also in aid of Hospitals at Cariboo, Kootenay and New Westminster. I think it would be well to add a small amount to assist the formation of a Library at each of the places just mentioned. A subsidy towards securing Steam communication with San Francisco and Panama shall not be forgotten, and the establishment of a Light Ship or Light House at the Mouth of the Fraser will be provided for. A set of Iron Buoys to mark the Channel has been ordered from England. The expense will appear in the Estimates.

9. The late Council requested the Governor to introduce a system of Tariff Duties, proposed by an Honourable Member of the late and present Board. The question was transferred by my Predecessor to myself, but I considered it of too great importance for me to deal with in the first few days of my administration of the Government. I have now arrived at the opinion that the Tariff proposed would act beneficially to the trade of the Colony, and I shall direct a Bill adopting its general principles to be laid before you. I have, however, not found myself able to recommend the reduction in the Customs Revenue, which the measures advocated by the late Council proposed to effect.

10. I have seen with pain the operation of our Insolvency and Bankruptcy Acts. In a Gold Mining Country, at a vast distance from the Sea, a man must venture much if he would hope to profit fully by his exertions. The more enterprising the Miner the greater the risk he incurs, and some of our boldest prospectors and explorers have found themselves reduced to select between the alternative of flight from the Colony or the debtor's prison. Imprisonment for debt where no fraud is suspected is not suited to a community like this, where speculative and hazardous enterprise is necessary to the advancement of the Colony. A Bill to relieve Insolvent debtors shall be laid before you, and in pursuance of this object it will among other provisions abolish the distinction in Bankruptcy of trader and non-trader.

11. In view of the enormous expense annually required for the repair of the roads, the damage to them being greatly aggravated by the insufficient width of the tires generally in use, a Bill shall, at your next meeting, be laid before you framed upon the principal of the English turnpike Acts, making heavily loaded waggons pay toll according to the amount of injury to the roads the construction of their wheels is likely to cause. You are aware that under the 4th Section of Proclamation No. 3, of 1862, it is competent to the Chief Commissioner of Lands and Works, to do, by mere notice, that which I now propose we should do by Law. The responsibility seems to me too great to be thrown upon a single Officer,

12. A Bill shall be sent to you making important changes in the laws regulating the acquisition of lands. The subject is one of the utmost importance and difficulty. I trust therefore that I shall receive every assistance from you in adapting the Law to the promotion of the welfare of the Colony.

13. Of equal importance is the Ordinance which shall, at an early date be submitted to you, having for its object the consolidation and amendment of the Mining Laws. In this case I have relied principally upon the valuable assistance of the Mining Board.

14. Measures shall be brought forward for remodelling the Postal system; for amending the laws of evidence; to facilitate the solemnization of Marriages in the country districts; for extending the time granted to a Company for a monopoly of Traction Engines; for abolishing the exclusive privileges granted to the Californian State Telegraph; and for the protection of the great line of the Russian-American Telegraph, which will bring New Westminster into immediate communication with the electric systems of Asia, Europe and North Africa.

15. Probably the subject of Telegraphic communication is the only one to which I can now refer with altogether unmixed satisfaction. Before long, it is probable, that we shall have at least two distinct means of communication with the Mother Country and the whole civilized globe. It will be my earnest endeavour to attach our two Mining Districts to the great system, and to the head quarters of this Government. I need not point out to you the immense advantage we should derive from instantaneous communication with Cariboo and the Kootenay. It would double the effective strength of our Police force, and thus probably enable the Government to establish at moderate charges a secure Gold Escort. To the dwellers on the Gold Creeks and to the Merchants of New Westminster, the wire would be equally valuable.

16. I shall probably lay before you a Bill authorizing the Governor to grant, by Proclamation, on petition of a certain proportion of the inhabitants, Municipal powers to the several towns of the Colony. It would be well, I think, not to exclude aliens from the suffrage.

17. There are many other subjects of importance to which I shall draw your attention by Message during the progress of the Session, but I may as well at once say I shall omit the promised communication respecting Union with Vancouver Island. Your reply to the address, with which I opened the late Session, has convinced me that it is unnecessary for me to moot the question again now. I regret that the interests of two Colonies so near each other, and so remote from the Mother Country, should be in some respects antagonistic, but my duty to British Columbia is paramount, and I accept your decision. I trust that the entire separation which now takes place may ultimately lead to a desire for the most intimate relations and probably for an Union which, in some respects, I cannot but consider to be desirable.

18. I shall wait with much interest the results of your labours, for I think that if this Session be well employed it will form a turning point in the history of British Columbia for many years to come. Great and solemn interests are confided to our hands, and I trust that a sense of their importance will produce a spirit of candid and patient examination. Deeply conscious that of ourselves we can do but little to ensure the prosperity of this vast province, let us humbly ask the blessing of the Almighty, without which our labours would be but vain.

His Excellency's Speech was listened to with profound attention.

The Governor then left the Council Chamber.

The Hon. the Colonial Secretary took the Chair as Presiding Member.

The Hon. the Colonial Secretary stated that, to prevent mistakes, he had obtained a copy of the Governor's Speech, and moved, the Hon. Mr. O'Reilly seconding,

That the same be printed and distributed to the Members of the Council.

Ordered accordingly.

On the motion of the Hon. the Treasurer, the Hon. Mr. Holbrook seconding,
Ordered, That a Select Committee, to be named by the Presiding Member, be appointed to draw up and submit a Reply to His Excellency's gracious Speech.

The following Members were appointed accordingly:—the Hons. the Treasurer, Mr. Brew, Mr. Ball, Mr. Holbrook, and Mr. Walkem.

The Standing Orders, as laid before the Council by the Governor, were then read by the Clerk.³

Then, on the motion of the Hon. the Attorney General, the Council adjourned till Monday, the 16th instant, at 3 o'clock.

Monday, the 16th day of January, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the Members names being called over it was found that they were all present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon Mr. Crease gave notice of motion.

The Hon. Mr. Holbrook gave notice of 4 motions.

The Hon. C. W. Franks, Chairman of the Select Committee appointed to prepare an Address in reply to His Excellency the Governor's opening Speech, brought up a Report, and the same was read as followeth:

Your Committee recommend the adoption by the Council of the following Address:

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Council of the Colony of British Columbia, beg leave to return our thanks to Your Excellency for the Speech with which you have been pleased to open the present Session of the Council.

2. We notice with satisfaction the Standing Orders prepared by Your Excellency for adoption by the Council, and we recognize with unfeigned pleasure the spirit of liberality which pervades them.

3. We trust that those Ordinances which passed the Council last Session, but have not received the assent of Her Majesty, may yet in their main features become law.

4. The Estimates shall receive our most careful attention. We are gratified to learn that it has at length been determined to impose a duty on the Export of Gold.

5. The extension of Roads and other means of communication throughout the Colony appears to us a measure of the highest importance, and we believe that it will be of great benefit to the Colony to have direct steam communication with San Francisco and Panama. Our best aid shall be given in promotion of these measures.

6. Of hardly less importance appears to us the improvement of the navigation, and the placing of a Light Ship and Buoys at the mouth of the Fraser.

³ Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1864-65, pp. i-iv.

7. We have every confidence that the alteration of the Tariff will have an advantageous influence on the trade and commerce of the Country.

8. We hail with great pleasure the measures proposed for the extension of Telegraphic communication throughout the Colony. Feeling fully confident that they will prove of the greatest advantage, we will give these and the other measures which Your Excellency proposes to lay before us our careful consideration.

9. While we concur with Your Excellency in regretting that the interests of two adjacent Colonies should be antagonistic, we are glad to see that our views with regard to the question of Union with Vancouver Island have been accepted.

10. In conclusion we would beg to refer with the utmost satisfaction to the vigorous determination, breathed throughout Your Excellency's Speech, to promote the interests of the Colony and to foster its advancement. Feeling the solemn responsibility imposed upon us, we will use our utmost endeavours in assisting Your Excellency to obtain objects so desirable.

*Council Chamber,
17th January, 1865.*

CHARLES W. FRANKS,
Chairman.

On the motion of the Hon. the Treasurer, the Hon. Mr. Homer seconding,
Ordered, That the Address in reply to the Governor's Speech, as prepared by the Select Committee, be adopted.

On the motion of the Hon. Mr. O'Reilly, the Hon. Mr. Elliott seconding,
Ordered, That the said Address be engrossed and signed by the Presiding Member.

On the motion of the Hon. Mr. Crease, the Hon. Mr. Walkem seconding,
Ordered, That the said Address be presented to the Governor by the whole House.

The Hon. the Presiding Member informed the Council that His Excellency would be prepared to receive the Address to-morrow, Tuesday, at 1½ o'clock.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till Tuesday, at 1½ o'clock in the afternoon.

Tuesday, the 17th day of January, 1865.

The Council met at 1½ o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the names being called over the Hon. Mr. Walkem was found to be absent without leave granted.

The Minutes of the previous Meeting were read over and confirmed.

The Council then adjourned during pleasure.

On the Council resuming its sitting, the Presiding Member informed the Council that, in pursuance of the order of the Council, he, in company with several Members of the Council, had attended upon His Excellency, to deliver the Address in reply to His Excellency's Speech at the opening of the Session, and that His Excellency had been pleased to make thereto the following answer:

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

I have received your Address with much satisfaction. It will always be my pleasure, as it is my duty, to co-operate with you in every way towards the advancement of the public good.

The Hon. Mr. Holbrook presented a Petition from the inhabitants of Douglas praying for a grant of money for School purposes.

Ordered to be read. Read accordingly.

The Hon. Mr. Holbrook presented a further Petition from the inhabitants of Douglas praying that no Ordinance might be passed rendering broad tires necessary.

Ordered to be read. Read accordingly.

The Hon. Mr. Holbrook gave notice of 3 motions.

The Hon. Mr. Moberly gave notice of motion.

The Hon. the Attorney General laid on the table, by order of the Governor, the following Bills:

A Bill to amend the Law of Evidence;

A Bill regulating the construction of the International Telegraph;

A Bill extending the time of the Steam Traction Engine Company.

Ordered to be read the first time.

Read first time accordingly.

Ordered that they be read second time as follows:

Traction Engine Bill, Wednesday 18th;

Law of Evidence Bill, Thursday 19th;

International Telegraph Bill, Friday 20th.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Elliott seconding,

Resolved, That His Excellency be respectfully asked to lay before the Council a Return of the amount collected for Tonnage Dues on goods going up river for the past 12 months, ending 31st December, 1864, at the Port of New Westminster.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Elliott seconding,

Resolved, That His Excellency be respectfully asked to lay before the Council a Return of the amount of Road Tolls, collected during the last twelve months ending 31st December, 1864, on the road from Douglas to Lillooet, and the sum expended on such road during the same time; also the amount of Road Tolls collected on the road from Yale to Lytton, and the sum expended for the same period on such road.

The Hon. Mr. Holbrook moved the following Resolution, the Hon. Mr. Homer seconding:

That a Select Committee of the House be formed to consider how an assisted emigration from Great Britain can be made available for the Colony, either by paying part of the passage money or giving grants of land, and that the Presiding Member name such Committee.

The Hon. Mr. Ball moved the following amendment, the Hon. Mr. Cornwall seconding:

That the Council go into Committee of the whole this day week on the subject of the Hon. Mr. Holbrook's Resolution respecting assisted emigration to this Colony.

The Hon. Mr. Moberly moved as amendment, the Hon. Mr. Walkem seconding,

That the appointment of the Committee be postponed until after the introduction of the new Land Bill in course of preparation by Government.

On the Hon. Mr. Moberly's amendment being put, the Council divided
Ayes 4, Noes 10.

So it passed in the negative.

On the Hon. Mr. Ball's amendment being put, it was carried unanimously, and

Ordered, That the House do resolve itself into a Committee of the whole this day week on the Hon. Mr. Holbrook's Resolution.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till Wednesday, the 18th instant.

Wednesday, the 18th day of January, 1865.

The Council met at 1 o'clock, pursuant to order.

The Hon. the Attorney General took the Chair as Presiding Member, being the senior Member present.

On the names being read over, the Hon. the Colonial Secretary and the Hon. the Treasurer were found to be absent.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Holbrook presented a Petition from the inhabitants of Douglas praying that a grant might be made by the Council for deepening the small slough near Douglas.

On the motion of the Hon. Mr. Holbrook,

Ordered, That the Petition be read. Read accordingly.

The Hon. Mr. Holbrook presented a Petition from the Inhabitants of Lillooet praying that the Road Tolls might not be collected on home grown produce.

On the motion of the Hon. Mr. Holbrook,

Ordered, That the Petition be read. Read accordingly.

The Hon Mr. Walkem rose to speak to a question of privilege in regard to the fine imposed upon him for being absent from the Council yesterday.

On the question being put as to whether the fine imposed be remitted, it was carried unanimously,

So it was *Ordered* that the fine in question be remitted.

The Hon. Mr. Holbrook gave notice of 2 motions.

On the Order of the day being read for the second reading of the Steam Traction Engine Extension Bill, a debate arose.

The Council divided on the question being put.

Ayes 13, No 1.

So it was *Resolved* in the affirmative, and *Ordered*, That the Bill be read a second time at once. Read second time accordingly.

On the motion of the Hon. the Attorney General,

Ordered, That the Bill be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Walkem in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through without amendments.

Then, on the motion of the Hon. the Attorney General,

Ordered, That this Bill be read a third time to-morrow.

The Hon. Mr. Holbrook asked leave to withdraw his motion asking the Government to bring in a Bill regulating Fisheries.

Ordered that leave be granted.

Bill withdrawn accordingly.

The Hon. Mr. Holbrook moved for leave to bring in a Bill prohibiting, at certain seasons, that game should be bought, sold, or shot.

Ordered that leave be granted, and that the said Bill be read a first time on the 1st February.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Moberly seconding,

Resolved, That the Government be asked to bring in a Bill to provide for the proper Registration of Births, Deaths, and Marriages.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Homer seconding,

That the Government be asked to bring in a Bill to impose a tax upon all unimproved lands bought or pre-empted from Government in this Colony.

The Hon. Mr. Ball moved the following amendment: That the words "and unoccupied" be inserted after the word "unimproved," and that the words "or pre-empted" be struck out.

On the amendment being put it was carried unanimously, and *Resolved* accordingly.

The original Resolution with amendments was then put and carried.

The Hon. Mr. Moberly moved, the Hon. Mr. O'Reilly seconding,

That the Government be respectfully requested to take such steps as may be necessary to have all the pre-empted and purchased lands in the Colony surveyed at as early a date as possible, and that when surveyed titles to the above lands be granted on payment of all dues thereon to the Crown being made.

The Hon. Mr. Brew moved as amendment, the Hon. Mr. Holbrook seconding, That the Government be respectfully requested to cause pre-empted lands throughout the Colony to be surveyed and the titles issued whenever the pre-emptors of such lands shall apply to have their lands surveyed.

On the amendment being put it was carried unanimously, and *Resolved* accordingly.

The Hon. the Colonial Secretary rose to speak to a question of privilege in regard to his being absent at the time of meeting this day;

And on the question being put it was *Ordered* that no fine be imposed on the Colonial Secretary, and the explanation given being satisfactory that he be considered to have been present at the meeting of the Council.

The Hon. the Treasurer rose to speak to a question of privilege in regard to his being absent at the time of meeting this day;

And on the question being put it was *Ordered* that no fine be imposed on the Treasurer, and the explanation given being satisfactory that he be considered to have been present at the meeting of the Council.

Then, on the motion of the Hon. the Colonial Secretary, the Council adjourned.

Thursday, the 19th day of January, 1865.

The Council met at 3 o'clock, pursuant to order.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the names being called over the Hon. the Attorney General was found to be absent.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Walkem gave notice of 2 motions.

The Hon. the Attorney General gave notice of 2 motions.

On the Order of the day being read for the second reading of the Native Evidence Bill,

Ordered that the same be read second time forthwith.

Read accordingly the second time.

On the motion of the Hon. Mr. Crease,

Ordered, That the Council do go into Committee of the whole on the said Bill.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with certain amendments.

Then, on the motion of the Hon. the Attorney General,

Ordered, That the said Bill be read the third time on Wednesday next.

On the Order of the day being read for the 3rd reading of the Traction Engine Extension Bill,

Ordered that the said bill be read third time presently.

Bill read a third time accordingly.

On the motion of the Hon. the Attorney General,

Resolved, That this Bill do pass, and that its title be "The Traction Engine Extension Ordinance, 1865."

The Hon. Mr. Holbrook moved that his Resolution in regard to a Petition from the inhabitants of Lillooet and the neighbourhood standing as an Order of the day for the present day be allowed to be placed on the Order of the day for to-morrow.

Ordered that the same be placed on the Order of the day for to-morrow.

On the Order of the day being read for the consideration of a Resolution to be moved by the Hon. Mr. Holbrook, having reference to the improvement of the slough near Douglas,

The Hon. Mr. Holbrook moved that this Resolution be considered this day month,

And it was *Ordered* accordingly.

Then, on the motion of the Hon. the Attorney General, the Council adjourned.

Friday, the 20th day of January, 1865.

The Council met at 3 o'clock, pursuant to order.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the Members names being called over it was found that they were all present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Homer gave notice of 2 motions.

On the Hon. Mr. Holbrook giving notice of motion a debate arose, and on the question being put as to whether the motion shall stand on the Order Book for discussion,

The Council divided.

Ayes 7, *Noes* 6,

So it was *Resolved* in the affirmative, and *Ordered* accordingly.

The Hon. Mr. Cornwall gave notice of motion.

On the Order of the day being read for the 2nd reading of the International Telegraph Bill,

Ordered, That this Bill be read the second time presently.

Read second time accordingly.

On the motion of the Hon. the Attorney General, That this Bill be committed forthwith,

The Hon. Mr. Ball moved as an amendment that the said Bill be committed on Monday next.

And on the amendment being put it was carried unanimously, and *Ordered* accordingly.

The Hon. Mr. Walkem asked leave to bring in Decimal Currency Bill.

Ordered that leave be granted.

He accordingly presented the said Bill which was received, and on the motion of the Hon. Member,

Ordered, That the said Bill be now read a first time.

Read first time accordingly.

Second reading *Ordered* for Thursday next.

On the Order of the day being read for the first reading of the First Telegraph Amendment Bill,

Ordered that the same be now read the first time.

Read first time accordingly.

Ordered that the said Bill be read the second time on Monday next.

The Hon. Mr. Holbrook moved the following Resolution, the Hon. Mr. Homer seconding,

That as the present Road Toll charged on farm produce carried along the road from Lillooet to Clinton, and from Clinton to Lillooet, imposes a tax on occupied land of from £5 to £12 per acre per annum, and is very detrimental to settlement, be it resolved that this Council recommend that His Excellency be pleased to remit the Toll on such road on native grown produce, such as hay, manure, lumber, and grain when being carried to a grist mill for the purpose of being ground to flour; and that the Council take into consideration the Petition from Lillooet on this subject.

The Hon. Mr. Moberly moved the following amendment, the Hon. Mr. Ball seconding,

That the motion of the Hon. Member for Douglas respecting the alterations in the Collection of Tolls on the Lillooet Alexandria Road be postponed for 1 month.

On the amendment being put the Council divided,

Ayes 13, *Noes* 1,

So it was *Resolved* in the affirmative, and *Ordered* accordingly.

Then, on the motion of the Hon. Mr. Holbrook, the Council adjourned.

Monday, the 23rd day of January, 1865.

The Council met at 3 o'clock, pursuant to order.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the names being called over all the Members were found to be present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Walkem moved for leave to bring in County Court Amendment Bill,
Ordered that leave be granted, and that the Bill be read first time on Friday next.

The Hon. Mr. Homer moved, the Hon. Mr. Holbrook seconding,

That the Government be recommended to introduce a Bill repealing the present Act which regulates the Pilot and Harbour dues, and in lieu thereof establish the rates of Pilotage at one dollar per foot, and appropriate the sum of Three hundred and fifty pounds for the support of Pilots.

The Council divided on the question being put.

Ayes 8, Noes 5.

So it was *Resolved* in the affirmative.

The Hon. Mr. Cornwall moved for leave to bring in Thompson River Bridge Charter Bill.

Ordered that leave be granted, and that the Bill be read first time on Thursday next.

The Hon. Mr. Holbrook moved the following Resolution, the Hon. Mr. Elliott seconding:

That whereas the prevailing opinion appears to be that the better way of keeping open the Harrison Rapids and Slough at Douglas is by the use of a Dredging Machine, be it resolved that the Government be respectfully requested to advertize in the next papers and *Gazette* for tenders, in order to ascertain the expense of keeping open such navigation either by that or in some other manner.

After some discussion the Hon. mover asked leave to withdraw the motion.

Ordered that leave be granted. Leave granted accordingly and motion withdrawn.

On the Order of the day being read for the Committal of the Telegraph Establishment Bill,

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the Bill be read a third time on Wednesday next.

On the Order of the day being read for the second reading of the First Telegraph Amendment Bill,

Ordered that the same be now read second time. Read second time accordingly.

Ordered that the said Bill be committed on Thursday next.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned.

Tuesday, the 24th January, 1865.

The Council met at 3 o'clock, pursuant to order.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the names being called over the Hon. Mr. Walkem was found to be absent.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Cornwall gave notice of motion.

On the Order of the day being read for a Committee of the whole on Assisted Emigration,

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, handing in a Resolution of the Committee, and asked leave to sit again.

Ordered that leave be granted.

On the motion of the Hon. Mr. Cornwall, the Hon. the Attorney General seconding,

Resolved, That the Resolution of the Committee of the whole be adopted, viz: That a Select Committee be appointed to consider the subject of Assisted Emigration to this Colony, and to draw up a Report on the subject to be laid before the House at the expiration of one month from this date.

The following Members were appointed to form the Committee in question: The Hons. Messrs. Ball, Cornwall, Homer, Holbrook, and Moberly.

A Message from His Excellency the Governor, which being read was as follows:

Message No. 1.

FREDERICK SEYMOUR.

In compliance with the request of the Legislative Council, the Governor lays before the House a Return of the amount of Tonnage Dues collected at the Port of New Westminster during the year 1864.

*Government House,
24th January, 1865.*

According to the Order of the day the Hon. the Attorney General brought in Gold Export Duty Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered that the said Bill be read second time on Friday next.

On the motion of the Hon. the Colonial Secretary,

Ordered, That the second reading of the Currency Bill, now standing on the Order of the day for Thursday, be altered to Wednesday.

The Hon. Mr. Homer moved the following Resolution, the Hon. Mr. Moberly seconding:

That the Government be recommended to introduce a Bill for the purpose of establishing statute labour in the Colony.

On the question being put the Council divided,

Ayes 2, Noes 12.

So it passed in the negative.

The Hon. the Attorney General brought in Waggon Tire Bill.

Ordered that the said Bill be now read the first time.

Read first time accordingly.

Ordered that the said Bill be read a second time to-morrow.

The Hon. Mr. Walkem moved that the fine leviable on him for non-attendance at the opening of the Council this day be remitted.

Ordered that the fine be remitted.

Then, on the motion of the Hon. the Collector of Customs, the Council adjourned.

Wednesday, the 25th day of January, 1865.

The Council met at 1 o'clock, pursuant to order.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the Members names being called over the Hon. the Treasurer was found to be absent.

The minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the third reading of the Native Evidence Bill

The Hon the Attorney General moved that the said Bill be re-committed.

Ordered accordingly.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the Bill be now read a third time.

Read a third time accordingly.

Ordered that this Bill be brought up for passing to-morrow.

On the Order of the day being read for the third reading of the Telegraph construction Bill,

Ordered that the said Bill be now read third time.

Read third time accordingly.

Ordered to be brought up for passing to-morrow.

The Hon. Mr. Cornwall moved for leave to bring in Pounds Bill.

Ordered that leave be granted. Leave granted accordingly.

Ordered that the said Bill be read first time on Monday next.

On the Order of the day being read for the second reading of the Currency Bill.

Ordered that the said Bill be now read the second time.

Read second time accordingly.

On the motion of the Hon. Mr. Homer that this Bill be now committed,

The Council divided.

Ayes 8, *Noes* 4.

So it was *Resolved* in the affirmative and ordered accordingly.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the first reading of the Waggon Tire Bill,

Ordered that the said Bill be now read first time.

Bill read first time accordingly.

Ordered that the same be read second time a fortnight hence.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned.

Thursday, the 26th day of January, 1865.

The Council met at 3 o'clock, pursuant to order.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the names being read over all the Members were found to be present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 2.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has received an application from the Honourable Gentlemen appointed severally to represent the districts of Cariboo, East and West, Yale, and Lytton, to be relieved from the alternative of attending a Meeting of the Council or of paying a fine of ten dollars.

The Governor, though with regret, consents to make such alterations in the Standing Orders as may meet the wishes of the Honourable Members referred to, but as this will probably necessitate some important changes he will not be able to lay the amendment before the Council until Monday.

Pending the proposed changes the Governor has given leave of absence to the Honourables Clement Francis Cornwall, George Anthony Walkem, Walter Moberly.

*Government House,
26th January, 1865.*

The Hon. The Treasurer rose to speak to a question of privilege in regard to his being absent from the Council at the hour of meeting yesterday, and begged that the fine might be remitted.

On the motion of the Hon. Mr. Cornwall, the Hon. Mr. Elliott seconding,
Ordered, That the fine be remitted.

On the Order of the day being read for the first reading of the Lytton Thompson River Bridge Charter Bill.

Ordered that the same be now read the first time.

Read the first time accordingly.

Ordered that the same be read a second time on Monday next.

On the Order of the day being read for the Committal of the First Telegraph Amendment Bill,

Ordered that the Council do go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the said Bill be read the third time on Monday next.

On the Order of the day being read for the passing of the Native Evidence Bill,

Resolved that this Bill do pass and that its title be the "Native Evidence Ordinance, 1865."

On the Order of the day being read for the passing of the Telegraph construction Bill,

Resolved that the said Bill do pass and that its title be the "International Telegraph Ordinance, 1865."

On the Order of the day being read for the Committal of the Currency Bill,

Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Wednesday next.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till Monday next.

Monday, the 30th day of January, 1865.

The Council met at 3 o'clock, pursuant to order.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

On the names being called over the whole of the Members were found to be present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 3.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council certain alterations that he has made in the Standing Orders.

Clauses 1 and 2 are struck out; the following occupy their place:

1. The Council shall at each day's adjournment fix the day and hour for the next meeting as may be deemed most convenient for the dispatch of business.

2. As near as may be to the hour of meeting fixed for any particular day, the member present who shall be senior in order of precedence shall take the Chair.

In Section 3, after the word "contempt," the words "unless he shall have obtained leave of absence from the Governor" are added.

Section 6 stands thus:—Except on the first day of Session, all such Members as shall be absent without leave at the expiration of half an hour from the time fixed for meeting shall be fined ten dollars.

In Section 33, "Every Bill except those sent down to the Council by the Governor shall be introduced by leave granted to some Member on motion therefor." The remainder of the clause is struck out.

*Government House,
30th January, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 4.

FREDERICK SEYMOUR.

The Governor has received the Resoution of the Legislative Council of the 18th instant, requesting him to bring in a Bill to impose a tax upon all unimproved and unoccupied land bought from Government in this Colony.

The Governor is not sufficiently impressed at present with the expediency of the measure to be disposed to take the initiative in it, but any Bill which may carry out the wishes of the Council in this respect will, when placed before him, meet with the most earnest and respectful consideration.

*Government House,
30th January, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 5.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council copies of two letters received from the Agents General for Crown Colonies, relative to the difficulty of borrowing money on Colonial securities, in the present state of the London market.

*Government House,
30th January, 1865.*

The letters alluded to were read aloud by the Clerk.

The Hon. The Attorney General gave notice of motion.

On the Order of the day being read for the first reading of the Pounds Bill,

Ordered that the said Bill be now read the first time.

Read first time accordingly.

Ordered that the said Bill be read second time on Thursday, the 9th instant.

On the Order of the day being read for the second reading of the Lytton Thompson Bridge Bill,

Ordered that the said Bill be now read second time.

Read second time accordingly.

Ordered that the Bill be committed to-morrow.

On the Order of the day being read for the third reading of the Telegraph Amendment Bill,

Ordered that the said Bill be now read the third time.

Read the third time accordingly, and

Resolved that this Bill do pass, and its title be "The Telegraph Amendment Ordinance, 1865."

On the Order of the day being read for the second reading of the Gold Export Bill,

Ordered that the said Bill be now read the second time.

Read the second time accordingly.

Ordered that the same be committed to-morrow.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till 3 o'clock to-morrow.

Tuesday, the 31st January, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

All the Members present.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the first reading of the Game Protection Bill,

Ordered that the said Bill be now read the first time.

Read the first time accordingly.

Ordered that the same be read the second time on Friday the 10th proximo.

On the Order of the day being read for the committal of the Lytton Bridge Bill,

Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Elliott in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the said Bill be read the third time on Tuesday next.

On the Order of the day being read for the committal of the Gold Export Duty Bill,
Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 1 o'clock to-morrow.

Wednesday, the 1st day of February, 1865.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

All the Members present.

The minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the committal of the Gold Export Duty Bill,
Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the Committal of the Decimal Currency Bill,
Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. the Collector of Customs, the Council adjourned till 3 o'clock to-morrow.

Thursday, the 2nd day of February, 1865

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

All the Members were present.

The minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the committal of the Gold Export Duty Bill,
Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the Bill be read the third time on Monday next.

On the Order of the day being read for the Committal of the Decimal Currency Bill,
Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that this Bill be read the third time on Monday next.

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till Monday the 6th February.

Monday, the 6th day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Holbrook absent on leave; all other Members present.

The minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read therefor, the Hon. the Attorney General brought in Trustees' Relief Bill.

Ordered that this Bill be now read the first time.

Read first time accordingly.

Ordered that the same be read the second time on Wednesday next.

On the Order of the day being read for the second reading of the Gold Fields Amendment Bill,

Ordered that the said Bill be now read second time.

Read second time accordingly.

Ordered that the same be committed on Wednesday next.

On the Order of the day being read for the first reading of the Bankruptcy Bill,

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered that the same be read second time on Monday next.

On the Order of the day being read for the third reading of the Gold Export Duty Bill,

The Hon. Mr. Cornwall moved, the Hon. Mr. Elliott seconding,

That this Bill be read the third time on Monday next.

On the question being put the Council divided.

Ayes 7, Noes 4.

So it was *Resolved* in the affirmative and Ordered accordingly.

On the Order of the day being read for the third reading of the Decimal Currency Bill,

Ordered that the said Bill be now read the third time.

Read the third time accordingly, and *Resolved* That this Bill do pass and that its title be the "Decimal Currency Ordinance, 1865."

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till Wednesday the 8th instant, at 1 o'clock.

Wednesday, the 8th day of February, 1865.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Holbrook absent on leave; all others present.

The minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 6.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Ordinance entitled "An Ordinance to extend the term of the Steam Traction Engine Ordinance, 1864."

Government House,

7th February, 1865.

On the Order of the day being read for the second reading of the Waggon Tire Bill,

On the motion of the Hon. the Attorney General,

Ordered, That the second reading of the said Bill be postponed till Friday the 10th instant.

On the Order of the day being read for the second reading of the Trustees' Relief Bill,

Ordered that the said Bill be now read the second time.

Read second time accordingly.

Ordered to be committed to-morrow.

On the Order of the day being read for the committal of the Gold Fields Acts Amendment Bill,

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the third reading of the Lytton Bridge Bill,

The Hon. Mr. Cornwall moved that the said Bill be re-committed to-morrow.

Ordered accordingly.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till tomorrow, at 3 o'clock in the afternoon.

Thursday, the 9th day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Holbrook absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

FREDERICK SEYMOUR.

Message No. 7.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to amend the Law of Evidence."

Government House,

8th February, 1865.

A further Message from His Excellency, which being read is as follows:

FREDERICK SEYMOUR.

Message No. 8.

In fulfilment of a promise made by his predecessor, the Governor lays before the Legislative Council a petition from certain inhabitants of Lytton praying for compensation under circumstances stated by them.

The Governor acquaints the Legislative Council that he has already considered the petition in Executive Council, and was not advised to comply with its prayer. He is simply carrying out his predecessor's pledge in placing the petition before the Legislative Council.

Government House,

8th February, 1865.

- On the Order of the day being read for the re-committal of the Lytton Bridge Bill,
On the motion of the Hon. Mr. Cornwall,
Ordered, That the said Bill be re-committed to-morrow.
- On the Order of the day being read for the second reading of the Pounds Bill,
Ordered that the said Bill be now read the second time.
Read second time accordingly.
Ordered to be committed on Wednesday the 14th [15th] instant.
- On the Order of the day being read for the committal of the Trustees Relief Bill,
The Council resolved itself into the said Committee.
The Presiding Member left the Chair.
The Hon. Mr. Ball in the Chair of the Committee.
The Presiding Member resumed the Chair.
The Committee rose and the Chairman reported the Bill gone through with some slight amendments.
Ordered that the said Bill be read third time on Monday next.
- On the Order of the day being read for the committal of the Gold Fields' Amendment Bill,
The Council resolved itself into Committee of the whole on the said Bill.
The Presiding Member left the Chair.
The Hon. Mr. Cornwall in the Chair of the Committee.
The Presiding Member resumed the Chair.
The Committee rose, the Chairman reported some progress made with the Bill, and asked leave to sit again.
Ordered that leave be granted for to-morrow.
- On the motion of the Hon. the Presiding Member,
Ordered, That the second reading of the Game Bill, standing on the Order of the day for to-morrow, do stand as an Order of the day for that day week.
- Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 3 o'clock in the afternoon to-morrow.
-

Friday, the 10th day of February, 1865.

- The Council met at 3 o'clock, pursuant to adjournment.
The Hon. the Colonial Secretary in the Chair as Presiding Member.
- The Hon. the Treasurer and the Hon. Mr. Holbrook absent on leave; all other Members present.
The Minutes of the previous Meeting were read over and confirmed.
- The Hon. the Attorney General gave notice that on Monday next he would bring in a Bill altering the Customs Laws.
- On the Order of the day being read for the second reading of the Waggon Tire Bill,
On the motion of the Hon. the Attorney General,
Ordered, That the second reading of the said Bill be postponed till this day week.

On the Order of the day being read for the re-committal of the Lytton Bridge Bill,
On the motion of the Hon. the Attorney General,
Ordered that the said Bill be now read third time.

Read the third time accordingly, and *Resolved* that this Bill do pass and that its title be "The Lytton Bridge Toll Ordinance, 1865."

On the Order of the day being read for the further committal of the Gold Fields Bill,
The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for Monday next.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till Monday next, at 3 o'clock in the afternoon.

Monday, the 13th day of February, 1865

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. the Treasurer and the Hon. Mr. Holbrook absent on leave; all the other Members present.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the second reading of the Bankruptcy Bill,
On the motion of the Hon. the Attorney General,
Ordered, That the said Bill be read the second time on Thursday next.

On the Order of the day being read for the third reading of the Gold Export Duty Bill,
The Hon. Mr. Ball moved the re-committal of the Bill.
On the question being put the Council divided.

Ayes 7, Noes 4.

So it was *Resolved* in the affirmative and Ordered accordingly.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with some amendments.

On the motion for the third reading made by the Hon. the Attorney General,
The Council divided.

Ayes 7, Noes 4.

So it was *Resolved* in the affirmative and Ordered that the Bill be now read the third time.

Read the third time accordingly, and *Resolved* that this Bill do pass, and that its title be "The Gold Export Ordinance, 1865."

A Message from His Excellency the Governor, which being read is as follows:

FREDERICK SEYMOUR.

Message No. 9.

The Governor lays before the Legislative Council a petition presented to him against the Bill now before the Council for regulating the width of tires upon the public roads.

*Government House,
13th February, 1865.*

On the Order of the day being read for the third reading of the Trustees' Relief Bill,
Ordered that the said Bill be now read the third time.

Read the third time accordingly, and *Resolved* that this Bill do pass, and its title be "The Trustees' Relief Ordinance, 1865."

On the Order of the day being read for the first reading of the Customs Amendment Bill,

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered that the same be read the second time to-morrow.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 3 o'clock to-morrow afternoon.

Tuesday, the 14th day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. the Treasurer and the Hon. Mr. Holbrook absent on leave; all the other Members present.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the second reading of the Customs Amendment Bill,

Ordered that the said Bill be read second time.

Read second time accordingly.

On the motion of the Hon. the Attorney General.

Ordered, That the same Bill be committed at once.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Moberly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with some amendments.

Ordered that the said Bill be read third time to-morrow.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till to-morrow, at 1 o'clock in the afternoon.

Wednesday, the 15th day of February, 1865

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. the Treasurer and the Hon. Mr. Holbrook absent on leave; all the other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Moberly gave a notice of motion.

On the Order of the day being read for the committal of the Pounds Bill,

Ordered that the same be placed on the Order of the day for to-morrow.

On the Order of the day being read for the third reading of the Customs Amendment Bill,

On the motion of the Hon. Mr. Homer,

Ordered, That the said Bill be re-committed.

The Council resolved itself into Committee of the whole again upon the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported an amendment made to the Schedule of the Bill.

Ordered that the said Bill be now read the third time.

Read the third time accordingly, and *Resolved* that this Bill do pass, and its title be "The Customs Amendment Ordinance, 1865."

On the Order of the day being read for the further Committal of the Gold Fields Bill,

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again presently.

Ordered that leave be granted.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 10.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to an Ordinance entitled "An Ordinance to amend the Duties of Customs."

*Government House,
15th February, 1865.*

On the motion of the Hon. the Attorney General,

The Council again resolved itself into Committee of the whole on the Gold Fields Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for tomorrow.

On the motion of the Hon. the Attorney General for adjournment,

The Council divided.

Ayes 5, Noes 4.

So it was *Resolved* in the affirmative, and the Council adjourned till Thursday the 16th, at 3 o'clock in the afternoon.

Thursday, the 16th day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer and the Hon. Mr. Walkem absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 11.

FREDERICK SEYMOUR.

In compliance with the request of the Legislative Council, the Governor forwards a Return of the amount of Road Tolls collected during the year 1864, on the road from Douglas to Lillooet, and the sum expended on such road during the same time; also a Return of the amount of Road Tolls collected on the road from Yale to Lytton, with the sum expended for the same period on such road.

*Government House,
16th February, 1865.*

The Hon. Mr. Holbrook presented and read a petition from certain Merchants and Traders, praying against goods crossing the Southern Boundary being exempted from Road Tolls.

Ordered that the said Petition be considered to-morrow.

On the Order of the day being read therefor, and on the motion of the Hon. Mr. Holbrook, the Hon. Mr. Moberly seconding,

It was *Resolved* That this Council recommend that His Excellency be pleased to comply with the petition from the inhabitants of Douglas, for the improvement of the Slough from Harrison Lake to Douglas Lake, and grant a sum of money sufficient for that purpose.

On the Order of the day being read therefor, and on the motion of the Hon. Mr. Moberley, the Hon. Mr. Holbrook seconding,

It was *Resolved*, on a division of the Council, *Ayes 7, Noes 3,*

That His Excellency be respectfully requested to impose a small toll on all goods, merchandize, animals, and carriages passing over the Waggon Road

between Quesnelmouth and Williams Creek, so soon as that road is completed, and that the monies derived from the above Tolls be expended in keeping that road in repair. Also, that if the above tolls are imposed that the proposed Waggon Tire Ordinance be withdrawn.

On the motion of the Hon. the Colonial Secretary,

Ordered, That the further Committal of the Gold Fields Bill, standing next on the Order of the day, be transferred to the Order of the day for to-morrow.

On the Order of the day being read for the committal of the Pounds Bill,

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. the Treasurer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for tomorrow.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till 3 o'clock to-morrow.

Friday, the 17th day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hons. the Attorney General, the Collector of Customs, and Mr. Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the consideration of the petition from the inhabitants of Lillooet,

On the motion of the Hon. Mr. Holbrook,

Ordered that the Council do now go into Committee of the whole on the said petition.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Moberley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in a Resolution of the Committee for the adoption of the Council.

On the motion of the Hon. Mr. Cornwall, the Hon. Mr. Walkem seconding,

Resolved, That Agricultural produce in an unprepared state should pass free of charge over the Toll Roads in this Colony; but where such produce of a greater weight than 100 lbs. be carried over such roads then a double toll shall be charged on the animal or animals carrying or drawing such load.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 12.

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council praying that a Toll be imposed upon goods passing on the road between Quesnelmouth and Williams Creek, and that the Waggon Tire Bill be withdrawn.

He lays before the Council a petition, presented to him this day, in favour of the Waggon Tire Bill and against the proposed Toll.

Although it cannot be denied that the narrow tires now commonly in use do an amount of detriment to the public roads, which the large amount of expenditure incurred can hardly obviate, the Governor has received earnest representations that a large and important interest, not now in the most flourishing condition, would suffer from the immediate passing of the Bill before the Council.

He complies, therefore, with the wishes of the Council and withdraws the Bill. He trusts, however, that a knowledge, on the part of the public, that the Government is convinced of the correctness of the principle of the proposed measure, and that it will probably be re-introduced at a future period, will tend to diminish the existing private interests in favour of the narrow tire.

The Governor does not think that enough has yet been done on the road from Quesnelmouth to Williams Creek to call for the imposition of Tolls on goods making use of it.

*Government House,
17th February, 1865.*

On the Order of the day being read for the second reading of the Game Bill,

The Hon. the Treasurer moved that the Orders of the day be suspended for the present to enable him to give notice that, on Monday next, he would move the following Resolution:

That in the opinion of this Council, formed after due consideration of the circumstances under which the Customs Amendment Ordinance became law, and the character of the shipments it has affected, it is inexpedient to levy the increased duties upon goods imported into this Colony by the steamer arriving at this port on Wednesday the 15th instant.

That this opinion be respectfully submitted to the Governor, with a request that he will be pleased to direct that the difference between the duties leviable under the old and new tariffs may be returned to any persons who apply for it.

On the motion of the Hon. the Colonial Secretary,

Ordered, That the motion in question be not allowed to appear on the Order Book.

Then, on the motion of the Hon. Mr. Holbrook,

Ordered that the Game Bill be now read second time.

Read second time accordingly.

Ordered that the same be committed on Tuesday next, the 21st instant.

On the Order of the day being read for the consideration of the petition from certain Merchants to impose Road Tolls on goods crossing the Southern Boundary,

On the motion of the Hon. Mr. Holbrook,

Ordered that this Petition be considered in Committee of the whole on Tuesday next.

On the Order of the day being read for the further committal of the Gold Fields Bill,
The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for Monday next.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till 3 o'clock on Monday next.

Monday, the 20th day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Haynes absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 13.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance in aid of the Trustees' Relief Act."

*Government House,
18th February, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 14.

FREDERICK SEYMOUR.

The Governor recommends that the following amendments be made in the Bill entitled "An Ordinance for the construction of a Toll Bridge across Thompson River, at Lytton."

That in the first section the words "within a distance of twelve miles" be expunged, and the words "within a distance of five miles" be inserted in their place.

That in the second section the words "to twelve miles above" be expunged, and the words "to five miles above" be inserted in their place.

*Government House,
20th February, 1865.*

On the motion of the Hon. the Colonial Secretary,

Ordered, That the Council do now go into Committee on the amendments made to the said Bill by His Excellency.

The Council resolved itself into Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the amendments made by the Governor assented to without alteration.

Ordered that the Governor be acquainted that the Council has agreed to the amendments made by His Excellency to the Bill entitled "An Ordinance for the construction of a Toll Bridge across the Thompson River, at Lytton."

The Chairman of the Select Committee on Immigration stated that he was prepared to hand in the Report of the Committee, whenever the Council were prepared to receive it.

Ordered that the Report of the said Committee be received to-morrow.

On the Order of the day being read for the second reading of the Bankruptcy Bill, Ordered that the said Bill be now read second time.

Read second time accordingly.

Ordered that the same be committed on Thursday next.

On the Order of the day being read for the further Committal of the Gold Fields Bill, The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till to-morrow at 1 o'clock in the afternoon.

Tuesday, the 21st day of February, 1865.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

All the Members were present.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read therefor,

The Council resolved itself into a Committee of the whole on the Game Bill.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the said Bill be read third time to-morrow.

On the Order of the day being read for the consideration, in Committee of the whole, of a petition from certain merchants and traders that the Road Tolls be charged on goods coming into the Colony by the Southern Boundary,

The Hon. the Attorney General moved that the Council do now go into Committee of the whole on the Gold Bill.

On the question being put the Council divided.

Ayes 5, Noes 8.

So it passed in the negative, and Ordered that the Council resolve itself into Committee of the whole on the said petition.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose without making any Report.

On the Order of the day being read therefor,

The Hon. Mr. Ball, from the Select Committee appointed to draw up a Report on the subject of Free and Assisted Emigration, brought up the same.⁴

Ordered to be read by the Clerk.

Read accordingly.

Ordered that the said Report be printed and laid on the table.

On the Order of the day being read therefor,

The Council resolved itself in a Committee of the whole on the Gold Fields Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read therefor,

The Council resolved itself into a Committee of the whole on the Pounds Bill.

The Presiding Member left the Chair.

The Hon. the Treasurer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that no progress had been made with the Bill but asked leave to sit again.

Ordered that leave be granted for tomorrow.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 1 o'clock to-morrow afternoon.

⁴ *Ibid.*, pp. iv–vi.

Wednesday, the 22nd day of February, 1865.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

All the Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 15.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Ordinances:

"An Ordinance to encourage the construction of a line of Telegraph connecting the Telegraphs of British Columbia with the Telegraph lines of Russia and the United States and other countries, and for other purposes."

"An Ordinance for the construction of a Toll Bridge across Thompson River, at Lytton."

*Government House,
22nd February, 1865.*

A further Message from His Excellency the Governor, which being read is as follows:

Message No. 16.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to amend the First Telegraph Ordinance, 1864."

*Government House,
22nd February, 1865.*

On the Order of the day being read for the third reading of the Game Bill,
Ordered that the said Bill be now read the third time.

Read the third time accordingly, and *Resolved* that this Bill do pass, and its title be the "Game Ordinance, 1865."

On the Order of the day being read for the further committal of the Gold Fields Amendment Bill,

The Council resolved itself into Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, the Chairman reported some progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the committal of the Pounds Bill,

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. the Treasurer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported no progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till 3 o'clock in the afternoon to-morrow.

Thursday, the 23rd day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Haynes absent on leave; all the other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Colonial Secretary acquainted the Council that he would, on Thursday next the 2nd March, introduce the Estimates for the present year.

On the Order of the day being read for the committal of the Bankruptcy Bill,

Ordered that the Gold Bill be first considered in Committee.

The Council resolved itself into a Committee of the whole on the Gold Fields Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Thursday next, the 2nd March.

On the Order of the day being read for the committal of the Bankruptcy Bill,

Ordered that the Council do now go into Committee of the whole on the said Bill.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted at some future day to be named.

On the motion of the Hon. Mr. Walkem,

Ordered that the Bankruptcy Bill be referred to a Select Committee, to be named by the Presiding Member.

The following Members were appointed to form the said Committee: The Hons. the Attorney General, Mr. Elliott, Mr. Cornwall, Mr. Walkem.

On the Order of the day being read for the further consideration of the Pounds Bill,
The Hon. Mr. Cornwall asked leave to withdraw the said Bill.

Ordered that leave be granted.

Bill withdrawn accordingly.

On the Hon. Mr. O'Reilly moving the adjournment,

The Hon. Mr. Homer moved that the Standing Orders be suspended in order to allow the consideration of the Immigration Committee Report to be put on the Order Book for to-morrow.

Ordered that the Standing Orders be suspended for that purpose.

The Council then adjourned till 3 o'clock to-morrow afternoon.

Friday, the 24th day of February, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Haynes absent on leave; all the other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Elliott presented a petition from the Rev. Lundin Brown.

Ordered to be read. Read accordingly.

Ordered that the same be laid on the table.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Moberly moved the following Resolution:

That the Government be respectfully requested to appropriate a sum of money to be expended in opening some pack trails through the interior of the Colony, by such lines as may be most advantageous and practicable, to enable miners to prospect that section of the Country extending from the most northerly point of the Columbia River to the head waters of the North Thompson River, from Cariboo to the same point, and from thence via Tete Jaune Cache to the valley of Peace River.

After some discussion the Hon. mover asked leave to withdraw the motion.

Ordered that leave be granted.

Motion withdrawn accordingly.

On the Order of the day being read for the consideration of the Report of the Select Committee on Immigration,

On the motion of the Hon. the Attorney General,

Ordered that the said Report be received and the Committee discharged.

Then, on the motion of the Hon. the Attorney General,

Ordered that the Council do now go into Committee of the whole to consider the Report.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that the Committee had resolved on the adoption of the said Report.

On the motion of the Hon. the Attorney General,

Ordered that this Council recommend the adoption of the Resolution of the Committee, and that the Report be transmitted to the Governor.

Then, on the motion of the Hon. Mr. Moberly, the Council adjourned till Thursday the 2nd March, at 3 o'clock in the afternoon.

Thursday, the 2nd March, 1865.

The Council did not meet on this day, so the Council stood adjourned *sine die*.

Monday, the 6th day of March, 1865.

The Council met at 1 o'clock, pursuant to the following Proclamation:

FREDERICK SEYMOUR

PROCLAMATION

WHEREAS, the Legislative Council of this Colony stands adjourned without any time fixed for re-assembling, I, FREDERICK SEYMOUR, do, by virtue of the powers in me in that behalf vested, call upon the said Legislative Council to meet for the dispatch of business on Monday the 6th instant, at one o'clock, P.M.

By Command,
ARTHUR N. BIRCH.

*Government House,
3rd March, 1865.*

The Hon the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 17.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he proposes to assent, in Her Majesty's name, on the 15th day of March, to a Bill entitled "An Ordinance to prohibit the unseasonable destruction of Game."

*Government House,
25th February, 1865.*

The Hon. Mr. Holbrook moved, the Hon. Mr. Moberly seconding,

That the Government be asked to lay before the Council a Bill to enable Spirits manufactured in the Colony to be exported in Bond, also to regulate the Excise Duty on such Spirits, and to permit them to be bonded for exportation or otherwise in the present bonded warehouses.

On the question being put it was carried unanimously, and *Resolved* accordingly.

The Hon. Mr. Holbrook gave notice of 2 motions.

According to Order, the Council resolved itself into a Committee of the whole for the further consideration of the Gold Fields Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with many amendments and additions.

Ordered that the said Bill be read third time this day week.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 18.

FREDERICK SEYMOUR.

The Bill entitled "An Ordinance to establish a Decimal system of Accounts in the Colony of British Columbia," containing a clause reserving its operation until the Queen's pleasure be known. The Governor has now assented to it, in Her Majesty's name.

*Government House,
4th March, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 19.

FREDERICK SEYMOUR.

Owing to the imperfect nature of the information brought before the late Council, a grant was taken for the Hospital at Williams Creek so small as to be immediately absorbed in the incomplete liquidation of the then existing debt.

Assistance from the Government in excess of this grant has been found indispensable, but the Government would not, without the consent of the Legislative Council, undertake to pay the outstanding liabilities of the Board of Management.

The Governor recommends that, in addition to the amount placed in the Estimates for the Hospital in question, the following sums be likewise voted by the Council, so that the institution may commence with the spring in a more satisfactory condition. The Governor learns that exertions have been made on Williams Creek during the winter to raise funds for the support of the Hospital.

The sum due by the Williams Creek Hospital, to the 31st October inclusive, as shewn by Committee appointed to audit the accounts amounted to \$2,200

Expenditure for the months of November and December,		
as returned by Mr. Cox		\$420
Assumed Expenditure for January		210
Do. Do. February		210
Total amount due to 28th February, 1865		\$3,040
		or, £626 16s. 1d.

*Government House,
6th March, 1865.*

The Estimates were then introduced, according to Order.

On the motion of the Hon. the Colonial Secretary,

The Council resolved itself into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till Tuesday the 7th instant, at 3 o'clock in the afternoon.

Tuesday, the 7th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; all the other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Holbrook presented a petition from certain inhabitants of New Westminster.

Ordered that the same be received.

The Hon. Mr. Holbrook gave notice of 3 motions.

The Hon. Mr. Cornwall gave notice of motion.

The Hon. Mr. Moberly gave notice of motion.

The Hon. Mr. Brew gave notice of motion.

The Hon. Mr. Holbrook moved, the Hon. Mr. Moberly seconding,

That owing to the decided progress that has taken place in the Colony, and to the increased responsibilities that have therefore devolved on the head of the Executive, be it resolved by this Council that the Salary of the Governor be increased £1,000, and that His Excellency be respectfully requested to send down an Ordinance to enable us to pass this amount and place the same on the Estimates.

On the question being put it was carried unanimously, and *Resolved* accordingly.

According to Order, the Council resolved itself into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. the Attorney General moved that this Council do now adjourn till 3 o'clock, P.M., to-morrow.

The Hon. the Treasurer moved in amendment that this Council do adjourn till 1 o'clock P. M. to-morrow.

On the amendment being put the Council divided.

Ayes 8, Noes 4.

So it was *Resolved* in the affirmative and Ordered accordingly.

Wednesday, the 8th day of March, 1865.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; All other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Cornwall gave notice of 2 motions.

The Hon. Mr. Moberly gave notice of motion.

The Hon. Mr. Elliott gave notice of motion.

The Hon. Mr. Walkem gave notice of 2 motions.

The Hon. Mr. Holbrook gave notice of 2 motions.

On the Order of the day being read therefor,

The Hon. Mr. Holbrook asked leave to bring in a Bill for placing a tax on unoccupied lands.

On the question being put the Council divided.

Ayes 4, Noes 8.

So it passed in the negative, and was Ordered accordingly.

The Hon. Mr. Holbrook asked leave to withdraw the motion standing on the Order Book for the day.

Ordered that leave be granted.

Motion withdrawn accordingly.

According to Order, the Council resolved itself into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that the Committee had *Resolved* on voting a Supply of £225,946 12s. 8d., and handed in several Resolutions for the consideration of the Council.

It was then *Resolved* That the Council be recommended to grant a supply of £225,946 12s. 8d. for the year 1865.

The following Resolutions from the Committee of Supply were adopted by the Council:

Resolved That a respectful Address be presented to His Excellency asking that provision be made for the following Expenditure by a Supplementary Estimate, the same having been recommended by the Committee of Supply, and such recommendation having been adopted in Council.

Road from Cottonwood to Williams Creek, -----	£10,000 in addition,	
Cariboo Hospital -----	500	„
Kootenay Hospital -----	500	„
Government Buildings, Yale -----	200	„
Department of Governor.		
Messenger, Salary -----	20	„
Department of Colonial Secretary.		
3rd Clerk, Salary -----	50	„
Messenger „ -----	20	„
Department of Treasurer.		
2nd Clerk, Salary -----	50	„
3rd Clerk, „ -----	50	„
4th Clerk, „ -----	30	„
Department of Lands and Works.		
Messenger, Salary -----	20	„
Postmaster General's Department.		
Postmaster General, Salary -----	100	„
New Westminster Jail.		
Medical attendant, Salary -----	100	„
Customs Department.		
2nd Clerk, Salary -----	50	„
Revenue Officer -----	50	„
Legislative Council.		
Messenger -----	20	„
Magistrate, Lytton, Allowance -----	50	„
„ Lillooet, „ -----	50	„
„ Osoyoos „ -----	100	„

Resolved That His Excellency be respectfully requested to allow the Acting Registrar of the Supreme Court to receive the full Salary, namely £400, during the time he holds the Office.

Resolved That it is recommended to His Excellency that the Constables be paid at Kootenay at the same rate as those at Cariboo.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till Friday, at 3 o'clock in the afternoon.

Friday, the 10th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Messrs. Hamley, Brew, Elliott, Homer, Holbrook, and Walkem absent on leave; Hon. Mr. Haynes absent without leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No 20.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council an abstract of the tenders which have been received for the conveyance of the Mails in the interior.

The Governor considers all the tenders high, and suggests that a Committee of the Honourable Council should be appointed to consider the whole question of inland postal communication, and the rates of postage. He thinks sixpence a letter from New Westminster to Barkerville too low when the inhabitants of Richfield and Camerontown willingly pay an extra shilling for its conveyance to their local Post Offices.

The Governor suggests for the consideration of the Council whether the mails might not be carried as cheaply and more expeditiously in light mail carts by the Government.

*Government House,
10th March, 1865.*

In accordance with the above message, the Hon. the Presiding Member named the Hon. Messrs. Ball, Cornwall, Walkem, and Moberly to form a Select Committee to examine into and report on, at an early date, Postal matters generally.

The Hon. Mr. Cornwall gave notice of motion.

The Hon. the Attorney General gave notice of motion.

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till Monday the 13th instant, at 3 o'clock in the afternoon.

Monday, the 13th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hons. Messrs. Brew and Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General introduced the Harbour Dues Bill.

Ordered to be read the first time later in the day.

The Hon. Mr. Elliott gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

According to Order, the Hon. Mr. Elliott asked leave to bring in Indian Liquor Bill.

Ordered that leave be granted and that the Bill be now read the first time.

Read the first time accordingly, and Ordered to be read the 2nd time on Friday next.

On the Order of the day being read for the third reading of the Gold Fields Amendment Bill,

Ordered that the said Bill be now read the third time.

Read the third time accordingly, and *Resolved* that this Bill do pass, and its title be the "Gold Mining Ordinance, 1865."

According to Order, the Hon. Mr. Cornwall brought before the notice of the Council the services of Donald McLean, who fell during the Indian outbreak of the past year, with a view to some provision being made by the Colony for his widow and children, and moved the following Resolution:

That this Council being fully impressed with the important services rendered on several occasions by the late Donald McLean, who fell while in the service of his Country, would respectfully ask his Excellency to make such provision for the widow and children of the deceased as he may think fitting.

On the question being put it was carried unanimously, and *Resolved* accordingly.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 21.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that on account of the inclemency of the weather he purposes to defer assenting, until the first of April, to the Bill entitled "An Ordinance to prohibit the unseasonable destruction of Game."

*Government House,
13th March, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 22.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to apply the sum of Two hundred and twenty-five thousand nine hundred and forty-six pounds, twelve shillings, and eight pence sterling, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year One thousand eight hundred and sixty-five.

*Government House,
13th March, 1865.*

Ordered that the said Bill be read the first time presently.

The Hon. the Attorney General asked leave to introduce a Bill for regulating the Registration of Births, Deaths, and Marriages.

Ordered that leave be granted and that the said Bill be now read the first time.

Read first time accordingly.

Ordered that the same be read the second time on Friday next.

Pursuant to the Order of the day, the Hon. the Attorney General introduced Harbour Regulation Bill, Municipalities Bill, Excise Amendment Bill, Harbour Dues Amendment Bill.

Ordered that the said Bills be now read first time.

Read first time accordingly.

Ordered that they be read second time as follows:—Harbour Regulation Bill on Friday next, Municipalities Bill to-morrow, Excise Amendment Bill to-morrow, Harbour Dues Amendment Bill at once.

The last named Bill was read the second time accordingly, and Ordered to be committed forthwith.

The Council resolved itself into Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the said Bill be read third time to-morrow.

According to Order, the Bill of Supply was read the first time.

Ordered that the same be read the second time and committed forthwith.

Read second time accordingly.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through without amendments.

Ordered that the same be read the third time to-morrow.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till to-morrow, at 3 o'clock in the afternoon.

Tuesday, the 14th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Messrs. Brew and Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Holbrook presented a petition from numerous merchants, traders, and miners of the Colony, praying the Council to take some decided steps to express their opinion against Union with the neighbouring Colony of Vancouver Island.

Ordered that the same be received and laid on the table.

Then, on the motion of the Hon. Mr. Holbrook,

Ordered that the said petition be considered on Monday next, the 20th instant.

The Hon. Mr. Walkem gave notice of motion.

On the Order of the day being read for the consideration of the Hon. Mr. Holbrook's motion standing next on such order.

Ordered that the consideration thereof be postponed.

Pursuant to the Order of the day, the Hon. Mr. Walkem moved the following Resolution, the Hon. Mr. Cornwall seconding,

Resolved That His Excellency be respectfully requested to impress on Her Majesty's Government the hardship of compelling this Colony to pay the sum of £10,760 16s. 7d. for the erection of the buildings at the Camp, lately occupied by the Royal Engineers, as the same should be strictly an Imperial charge, and this Council respectfully but strongly urges upon His Excellency's attention the great injustice of compelling this Colony to pay the charge about to be imposed, as the buildings referred to are positively useless to the Colony. This Resolution, the Council would respectfully inform His Excellency, is in a short form, the embodiment of numerous public petitions, which would flow in to the same effect were it not generally believed that the present Resolution would be passed and acted upon. One petition from the inhabitants of New Westminster accompanies this Resolution.

On the question being put it was carried unanimously, and *Resolved* accordingly.

On the Order of the day being read therefor, the Municipalities Bill was read the second time.

Ordered that the said Bill be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with trifling amendments.

Ordered that the said Bill be read the third time on Friday next.

On the Order of the day being read therefor, the Excise Bill was read second time.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill,

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and reported no progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for Friday next.

On the Order of the day being read therefor,

The Harbour Dues Amendment Bill was read the third time, and it was *Resolved*, That this Bill do pass, and that its title be "The Harbour Dues Amendment Ordinance, 1865."

On the Order of the day being read therefor,

The Bill of Supply was read the third time, and it was *Resolved*, That this Bill do pass, and that its title be "An Ordinance to apply the sum of Two hundred and twenty-five thousand nine hundred and forty-six pounds, twelve shillings, and eight pence, sterling, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year One thousand eight hundred and sixty-five."

Then, on the motion of the Hon. the Treasurer the Council adjourned till Friday the 17th instant, at 2 o'clock in the afternoon.

Friday, the 17th day of March, 1865.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 23.

FREDERICK SEYMOUR.

The Governor will forward to the Secretary of State, with an expression of his own opinion in concurrence with the Resolution of the Legislative Council requesting to be relieved from the payment, to the Imperial Treasury, of the amount claimed for the buildings at the Engineers' Camp.

*Government House,
16th March, 1865.*

A further Message from His Excellency the Governor, which being read is as follows:

Message No. 24

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to apply the sum of Two hundred and twenty-five thousand, nine hundred and forty-six pounds, twelve shillings, and eight pence sterling, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year One thousand eight hundred and sixty-five."

*Government House,
17th March, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 25.

FREDERICK SEYMOUR.

The Governor has received, with much satisfaction, the Resolution of the Legislative Council requesting that he would make some provision for the widow and children of the late Donald McLean, who fell in the service of his Country.

The last words uttered by Donald McLean to the Governor conveyed the assurance that no danger or difficulty would deter him from using his utmost efforts

to secure the objects the Expeditions sent into the Chilicoten Country had in view, an assurance but too well fulfilled.

To meet the wishes of the Legislative Council, the Governor proposes to give Mrs. McLean a pension at the rate of One hundred pounds a year, for the term of five years.

*Government House,
17th March, 1865.*

According to Order, the Hon. Mr. Elliott asked leave to bring in the Supreme Court Fees Bill.

Ordered that leave be granted, and that the Bill be now read the first time.
Read the first time accordingly.

Ordered that the said Bill be read the second time on Monday next.

On the Order of the day being read therefor, the Indian Liquor Bill was read the second time.

Ordered that the same be committed on Wednesday next.

On the Order of the day being read for the second reading of the Births, Deaths, and Marriages Bill.

On the motion of the Hon. Mr. Brew,

Ordered that the second reading of this Bill be postponed until the Marriages Bill be printed.

On the Order of the day being read therefor, the Land Bill was read first time.

Ordered that the said Bill be read the second time on Thursday the 23rd inst.

On the Order of the day being read therefor, the Marriages Bill was read first time.

Ordered that the said Bill be read second time on Tuesday next.

On the Order of the day being read therefor, the Municipalities Bill was read the third time,

And it was *Resolved* that this Bill do pass and that its title be the "Borough Ordinance, 1865."

On the Order of the day being read for the committal of the Excise Bill,

The Council resolved into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered that this Bill be read the third time on Monday next.

A further Message from His Excellency the Governor, which being read is as follows:

Message No. 26.

FREDERICK SEYMOUR.

The Governor has received the Resolutions of the Legislative Council, dated respectively the 7th and 8th instant. The first proposing to increase the salary attached to the office of Governor; the second recommending that certain sums should be inserted in the Supplementary Estimates, as augmentations to grants for Public Works and increase of stipends of Public Officers.

The Governor will give his earnest consideration to these expressions of the wishes of the Council.

Experience has shewn it to be undesirable that Executive Officers should be under obligation to a Legislative Body for emoluments not specially recommended in the first instance by the Crown or its representative. When the people of this Colony shall be invited to take a more direct part in the administration of its affairs, the principle will probably be laid down that no such grants can originate with the popular branch of the Legislature.

At present the Governor is willing to believe that the supposed claims to additions of pay appeared to the Council to have been overlooked by the Governor, and were voted entirely without the solicitation of the Public Servants in whose favour they were made. He will, therefore, carefully consider whether the Officers in question may, from a Government point of view, be deemed entitled to the increased emoluments. Should he be induced to regard their claims favourably he will avail himself of the authority granted by the Council.

Acting on the principle he has just enunciated, the Governor must decline to receive any addition to his salary without the approval of his own Superior Officer. He will forward to Her Majesty's Secretary of State the Resolution of the 7th March, together with an exposition of the financial condition and prospects of the Colony, before he can allow himself to profit by the generous intentions of the Legislative Council.

*Government House,
17th March, 1865.*

On the Order of the day being read for the second reading of the Harbour Regulations Bill,

Ordered that the said Bill be read the second time, and committed at once.
Read second time accordingly.

The Council resolved itself into Committee of the whole on the said Bill.
The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered that the said Bill be read third time on Tuesday next.

On the motion of the Hon. Mr. Walkem,

Ordered that the standing Orders be suspended in order to allow him to place a notice on the Order Book for Monday.

Notice of motion given accordingly.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till Monday the 20th instant, at 3 o'clock in the afternoon.

Monday, the 20th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 27.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majestys name, to a Bill entitled "An Ordinance to amend the Dues leviable at the Port of New Westminster."

*Government House,
18th March, 1865.*

On the Order of the day being read for the consideration of the petition against Union with Vancouver Island,

The Hon. Mr. Moberly moved, the Hon. the Colonial Secretary seconding, That the consideration of this petition be deferred until Thursday week, the 30th instant.

On the question being put it was carried unanimously and Ordered accordingly.

On the Order of the day being read therefor, the Hon. Mr. Walkem asked leave to bring in Imprisonment for Debt Bill.

Ordered that leave be granted, and that the said Bill be now read the first time.

Read first time accordingly.

Ordered to be read the second time on Wednesday next.

On the Order of the day being read for the second reading of the Supreme Court Fees Bill,

The Hon. Mr. Elliott moved that the Bill be now read the second time, and referred to a Select Committee.

On the question being put a debate arose and the Council divided.

Ayes 8, Noes 3,

So it was *Resolved* in the affirmative and Ordered that the Hon. Messrs. Brew, Walkem, Ball, O'Reilly, and Elliott do form the said Committee.

On the Order of the day being read therefor, the Excise Bill was read the third time, and it was *Resolved* that this Bill do pass, and that its title be "The Distillers' Ordinance, 1865."

According to Order, the Hon. Mr. Walkem asked leave to bring in Vice-Admiralty Practice Bill.

Ordered that leave be granted, and that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till Tuesday the 21st instant, at 3 o'clock in the afternoon.

Tuesday, the 21st day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

At a quarter past 3 o'clock, there being no quorum present, the Hon. the Presiding Member adjourned the Council till 2 o'clock to-morrow afternoon, without a question first put.

Wednesday, the 22nd day of March, 1865.

The Council met at 2 o'clock in the afternoon, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; all other Members present.

The Minutes of the two previous Meetings were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 28.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance for the formation and regulation of Municipalities in British Columbia."

*Government House,
22nd March, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 29

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to amend the Excise Act 1861."

*Government House,
22nd March, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 30.

FREDERICK SEYMOUR.

The inclemency of the weather having probably detained within the Colony a considerable quantity of gold, raised previous to the knowledge of the miner of the intention of the Legislature to impose an export duty on gold, the Governor recommends that the following alterations may be made in the Bill entitled "An Ordinance for imposing a duty on Gold":

That the word "first," standing the fifth in the second clause, be struck out, and the word "fifteenth" be inserted in its place.

*Government House,
22nd March, 1865.*

Ordered that the Council consider His Excellency's Message in Committee presently.

On the Order of the day being read therefor,

The Harbour Regulation Bill was read third time, and it was *Resolved* that this Bill do pass, and that its title be "The Harbour Regulation Ordinance, 1865."

On the Order of the day being read for the committal of the Indian Liquor Bill, The Council resolved into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Walkem in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the said Bill be read the third time on Friday next.

On the Order of the day being read therefor, the Vice Admiralty Practice Bill was read the second time.

Ordered that the said Bill be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered that the said Bill be read the third time on Friday next.

According to Order, the Council resolved itself into a Committee of the whole to consider His Excellency's Message No. 30.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported no progress made but asked leave to sit again.

Ordered that leave be granted for Friday.

Then, on the motion of the Hon. the Attorney General, the Council adjourned until 3 o'clock in the afternoon of Friday next.

Friday, the 24th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. the Attorney General, and the Hon. Messrs. Brew, Homer, and Cornwall absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read therefor, the Imprisonment for Debt Bill was read the second time.

Ordered that the said Bill be committed on Monday next.

On the Order of the day being read therefor, the Indian Liquor Bill was read the third time,

And it was *Resolved* that this Bill do pass and that its title be the "Indian Liquor Ordinance, 1865."

On the Order of the day being read therefor, the Vice Admiralty Court Bill was read the third time,

And it was *Resolved* that the said Bill do pass, and that its title be the "Vice Admiralty Court Ordinance, 1865."

On the Order of the day being read for the consideration, in Committee, of His Excellency's message No. 30,

And on the question being put That I do leave the chair,

The Hon. Mr. Walkem moved as amendment that all words be struck out after the word "That," and that the following be substituted:

His Excellency be respectfully requested to reconsider his Message No. 30, to this Council, suggesting a change of date in the Gold Export Duty Ordinance, from the 1st to the 15th of April, as it is respectfully submitted by the Council that any change from the date named in the Ordinance may act inimically to the interests of the Colony, from the fact that ample notice has been afforded by the Ordinance in question to all persons affected by it, and again because the Miners on the Lower Fraser, who are principally Chinese, are the only parties likely to be benefitted by the change proposed.

On the amendment being put it was carried *nem. con.*, and *Resolved* accordingly.

The Council then adjourned during pleasure.

On the Council resuming its sitting, the following Message from His Excellency the Governor was read:

FREDERICK SEYMOUR.

Message No. 31.

The Governor lays before the Legislative Council a Petition signed in Victoria by 321 persons, against the Customs Act of this Session. He adds a copy of the reply which he has made to the Petitioners.⁵

*Government House,
24th March, 1865.*

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till Monday afternoon at 2 o'clock.

Monday, the 27th day of March, 1865.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer and the Hon. Mr. Cornwall absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

⁵ *Ibid.*, pp. vi-ix.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 32.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance for imposing a duty on Gold."

*Government House,
25th March, 1865.*

The Hon. the Attorney General gave notice that he would, to-morrow, introduce the following Bills:—Tolls and Duties Exemption Bill; Indian Graves Bill.

On the Order of the day being read therefor, the Marriages Bill was read second time.

Ordered to be committed to-morrow.

On the Order of the day being read for the second reading of the Births, Deaths, and Marriages Bill,

A debate arose.

On the question being put the Council divided.

Ayes 5, Noes 6.

So it passed in the negative, and was Ordered accordingly.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 33.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a petition, addressed to the Governor in Council by Mr. Alfred Waddington, of Victoria, praying that he may be allowed to surrender his charter for the making of a Road from Bute Inlet to the Fraser, and be re-imbursed the outlay which he has incurred upon the undertaking.

The Governor, in the Executive Council, deeply as he regretted the loss which Mr. Waddington has sustained, or believes himself to have sustained, by the interruption of his operations, was unable to see that that gentleman had any claim upon the Government. But the Governor is willing, before finally disposing of the petition, to lay it as requested before the Legislative Council.

Mr. Waddington relies, as against the Colony in his claim for compensation, that no protection was furnished to his road party, in return for the customs duties he paid. He, however, never asked for protection, and did not even inform the Government last year of the arrival of his road party at Bute Inlet. Had he apprehended danger he had but to arm his men, and forbid their bartering their arms and ammunition to the Indians. The Governor cannot see how Mr. Waddington could have expected protection to be extended over his party without solicitation, and thinks he would scarcely have approved of the interference by the Government between the Indians and his men. The commonest precautions would have saved the lives of the party who were massacred at Bute Inlet. But no Government can undertake to anticipate and prevent the commission of crimes in all places.

Murder may be committed in any public or private place, and society provides chiefly for the security of its members by hunting out and punishing the murderer, and thus deterring others from crime. Every effort has been made by the Government of this Colony to bring the murderers of the road party to justice.

The whole correspondence with Mr. Waddington will be produced by the Colonial Secretary should the Legislative Council desire it.

*Government House,
27th March, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 34.

FREDERICK SEYMOUR.

The Governor recommends that the following amendments be made in the Bill entitled "An Ordinance to consolidate and amend the Gold Mining Laws:"

In clause 60, line 3, that the words "£5 for each half" be omitted, and the words "£2 10s. for each quarter" be substituted.

In clause 99, line 2, that the word "five" be substituted for "ten."

In clause 109, in line 7, after the word "enhanced" that the rest of the clause be omitted.

In clause 120, line 6, that the words "but not exceeding £500 sterling" be omitted.

In clause 146, line 4, that the word "simple" be omitted.

*Government House,
27th March, 1865.*

On the motion of the Hon. the Colonial Secretary,

The Council resolved itself into a Committee of the whole on the said proposed amendments.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the amendments agreed to without alteration.

Then, on the motion of the Hon. the Colonial Secretary,
Resolved, That His Excellency be respectfully acquainted that the amendments proposed by him to the Gold Mining Bill had been agreed to without any alteration.

On the Order of the day being read for the committal of the Imprisonment for Debt Bill,

The Council resolved itself into Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. the Treasurer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress.

Then, on the motion of the Hon. Mr. Elliott,

Ordered, That this Bill be referred to a Select Committee for Report; such Committee to be named by the Hon. the Presiding Member.

The following Members were appointed a Select Committee, accordingly:—
The Hon. the Attorney General, the Hon. Messrs. Brew, Ball, Elliott, and Walkem.

Then, on the motion of the Hon. the Treasurer, the Council adjourned till 3 o'clock to-morrow afternoon.

Tuesday, the 28th March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Messrs. Homer and Cornwall absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 35.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to amend and consolidate the Gold Mining Laws."

*Government House,
28th March, 1865.*

A further Message from His Excellency the Governor, which being read is as follows:

Message No. 36.

FREDERICK SEYMOUR.

In accordance, the Governor is led to believe, with the wishes of the Legislative Council, he has issued a Proclamation, copy of which he encloses, granting to the informer one moiety of the amount of the seizures made under "The Gold Export Ordinance, 1865."⁶

*Government House,
28th March, 1865.*

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Brew from the Select Committee appointed to report on the Supreme Court Fees Bill, brought up and read a Report.⁷

Ordered that the same be adopted, and that the said Bill be committed to a Committee of the whole Council on Thursday next.

The Hon. the Attorney General brought in the Tolls Exemption Bill.

Ordered to be read the first time.

Read first time accordingly.

Ordered that the said Bill be read second time to-morrow.

The Hon. the Attorney General brought in, according to Order, the Indian Graves Bill.

Ordered that the Bill be now read the first time.

Read the first time accordingly.

Ordered that the said Bill be read the second time to-morrow.

⁶ *Ibid.*, pp. ix-x.

⁷ *Ibid.*, p. x.

On the Order of the day being read for the committal of the Marriages Bill,
The Council resolved itself into a Committee of the whole on the said Bill.
The Presiding Member left the Chair.
The Hon. Mr. Haynes in the Chair of the Committee.
The Presiding Member resumed the Chair.
The Committee rose and the Chairman reported progress and asked leave to sit again.
Ordered that leave be granted to-morrow.

Then on the motion of the Hon. Mr. Elliott, the Council adjourned till to-morrow, at 3 o'clock in the afternoon.

Wednesday, the 29th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.
The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Messrs. Homer and Cornwall absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 37.

FREDERICK SEYMOUR.

The Governor has received from the Legislative Council, a Bill entitled "An Ordinance respecting the Vice Admiralty Court of British Columbia."

The Governor is unable to assent to this Bill, inasmuch as the powers sought to be bestowed therein upon the Judge of the Vice-Admiralty Court in this Colony have been reserved in the Act of the Imperial Parliament of the 26th of Victoria, chapter 24, to Her Majesty in Council.

*Government House,
29th March, 1865.*

A further Message from His Excellency, which being read is as follows:

Message No. 38.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bill entitled "An Ordinance for the regulation of the Harbours of British Columbia."

*Government House,
29th March, 1865.*

On the motion of the Hon. Mr. Holbrook,

Ordered that the consideration of the Petition against Union with Vancouver Island, standing on the Order of the day for to-morrow be placed on the Order of the day for to-morrow week.

The Hon. Mr. Walkem's motion for leave to bring in Suits and Actions Limitations Bill dropped.

The Hon. Mr. Holbrook asked leave to postpone his motion for the discussion of Mr. Waddington's Petition.

Ordered that leave be granted to postpone the same till Friday.

On the Order of the day being read for the second reading of the Tolls Exemption Bill,

Ordered that the same be read the second time.

Read second time accordingly.

Ordered to be committed to-morrow.

On the Order of the day being read therefor, the Indian Graves Bill was read second time.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered that the same be read the third time to-morrow.

According to Order, the Council resolved itself into Committee for the further consideration of the Marriages Bill.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the motion of the Hon. Mr. Walkem.

Ordered that the Standing Orders be suspended in order to allow the Tolls Exemption Bill to be committed.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till to-morrow, at 3 o'clock in the afternoon.

Thursday, the 30th day of March, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Messrs. Homer and Cornwall absent on leave; the Hon. Mr. Walkem absent without leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

FREDERICK SEYMOUR.

Message No. 39.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to prohibit the sale or gift of Intoxicating Liquor to Indians."

*Government House,
30th March, 1865.*

The Hon. the Attorney General handed in a Report from the Select Committee appointed to consider the Bankruptcy Bill.⁸

The Report having been read, Ordered that the said Report be adopted.

On the Order of the day being read for the further consideration in Committee of the Supreme Court Fees Bill,

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Moberly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Monday next.

On the Order of the day being read therefor, the Indian Graves Bill was read the third time,

And it was *Resolved* That this Bill do pass, and that its title be the "Indian Graves Ordinance, 1865."

On the Order of the day being read therefor, the Tolls Exemption Bill was read the third time,

And it was *Resolved* that this Bill do pass, and that its title be the "Tolls Exemption Ordinance, 1865."

According to Order, the Council resolved itself into a Committee of the whole for the further consideration of the Marriages Bill.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Monday next.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till Monday next, at 2 o'clock in the afternoon.

⁸ *Ibid.*, p. x.

Monday, the 3rd day of April, 1865.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; the Hon. Mr. Walkem absent without leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

FREDERICK SEYMOUR.

Message No. 40.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to prohibit the unseasonable destruction of Game."

*Government House,
1st April, 1865.*

A further Message from His Excellency, which being read is as follows:

FREDERICK SEYMOUR.

Message No. 41.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to Bills entitled respectively "An Ordinance to prevent the violation of Indian Graves," "An Ordinance to exempt certain articles from Road and Ferry Tolls, and for other purposes."

*Government House,
3rd April, 1865.*

According to Order, the Council resolved itself into a Committee of the whole for the further consideration of the Supreme Court Fees Bill.

The Presiding Member left the Chair.

The Hon. Mr. Moberly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered to be read third time to-morrow.

On the Order of the day being read for the further consideration, in Committee, of the Marriages Bill,

On the motion of the Hon. the Colonial Secretary,

Ordered, That the said Bill be committed presently, and that the motion of the Hon. Mr. Holbrook, standing next on the Order of the day, be considered at once.

The Hon. Mr. Holbrook moved that the Council do now resolve itself into a Committee of the whole to consider Mr. Waddington's Petition, sent down to the Council in His Excellency's Message No. 33.

The Hon. Mr. Cornwall moved in amendment, the Hon. Mr. Ball seconding,

That this House, while it deeply regrets the great loss sustained by Mr. Waddington owing to the failure of his speculation, is not of opinion that his case calls for alleviation or compensation at the public expense.

On the amendment being put it was carried *nemine contradicente* and *Resolved* accordingly.

The Hon. the Attorney-General rose to speak to a question of privilege in reference to his absence from the Council this day.

Ordered that the fine imposed on the Attorney General be remitted.

According to Order, the Council resolved itself into a Committee of the whole for the further consideration of the Marriages Bill.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered that the said Bill be read the third time to-morrow.

According to Order, the Land Bill was read the second time.

Ordered to be committed on Thursday next.

The Council, according to Order, resolved itself into a Committee of the whole on the Bankruptcy Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Moberly, the Council adjourned till to-morrow, at 3 o'clock in the afternoon.

Tuesday, the 4th day of April, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; the Hon. Mr. Walkem absent without leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General gave notice of motion.

According to Order, the Marriages Bill was read the third time, and it was *Resolved* that this Bill do pass, and that its title be the "Marriages Ordinance, 1865."

According to Order, the Supreme Court Fees Bill was read third time, and it was *Resolved* that this Bill do pass, and its title be the "Supreme Court Fees Ordinance, 1865."

The Hon. the Attorney General from the Select Committee, handed in a Report on the Imprisonment for Debt Bill, which having been read, it was Ordered that the same be adopted.

According to Order, the Council resolved itself into a Committee of the whole for the further consideration of the Bankruptcy Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the said Bill be read the third time on Thursday next.

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till 1 o'clock in the afternoon on Thursday next.

Thursday, the 6th day of April, 1865.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Walkem rose to speak to a question of privilege, in regard to his having been absent from the Council for the last three sittings, without leave granted.

Ordered that the fines imposed on the Hon. Mr. Walkem be remitted.

The Hon. Mr. Walkem gave notice of motion.

On the Order of the day being read for the introduction of the Ports of Entry Bill, by the Hon. the Attorney General,

Ordered that the Bill be now read the first time.

Read the first time accordingly.

Ordered that the said Bill be read the second time to-morrow.

On the Order of the day being read for the introduction of the Salaries Extension Bill,

Ordered to be read the first time.

Read first time accordingly.

Ordered that the said Bill be read second time to-morrow.

According to Order, the Bankruptcy Bill was read the third time,

And it was *Resolved* That this Bill do pass, and that its title be the "Bankruptcy Ordinance, 1865."

According to Order, the Council resolved into a Committee of the whole on the Imprisonment for Debt Bill.

The Presiding Member left the Chair.

The Hon. the Treasurer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered that the same be read the third time to-morrow.

On the Order being read for the committal of the Land Bill,

The Hon. Mr. Cornwall moved that the same do stand as an Order of the day for to-morrow.

On the question being put it was carried *nem. con.*, and Ordered accordingly.

On the Order of the day being read for the consideration of the Petition against Union with Vancouver Island,

The Hon. Mr. Holbrook moved that the same do stand as an Order of the day for Monday next.

On the question being put it was carried *nem. con.*, and Ordered accordingly.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till 2 o'clock to-morrow afternoon.

Friday, the 7th day of April, 1865.

Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Homer absent on leave; all other Members present.

The Minutes of the previous Meeting were read over and confirmed.

According to Order, the Hon. Mr. Walkem moved for leave to bring in Suits and Actions Bill.

Ordered that leave be granted and that the Bill be now read the first time.

Read the first time accordingly,

Ordered to be read the 2nd time to-morrow.

On the Order of the day being read therefor, the Port of Entry Bill was read the second time.

Ordered that the same be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Walkem in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with amendments.

Ordered that the said Bill be read the third time to-morrow.

On the Order of the day being read therefor, the Crown Officers' Salaries Extension Bill was read the second time.

Ordered that the said Bill be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Walkem in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered to be read third time to-morrow.

On the Order of the day being read therefor, the Imprisonment for Debt Bill was read the third time,

And it was *Resolved* that this Bill do pass, and that its title be the "Imprisonment Exemption Ordinance, 1865."

According to Order, the Council resolved itself into Committee of the whole on the Land Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 3 o'clock to-morrow afternoon.

Saturday, the 8th day of April, 1865.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon the Colonial Secretary in the Chair as Presiding Member.

All the Members present.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read therefor, the Ports of Entry Bill was read the third time,

And it was *Resolved* that this Bill do pass and that its title be the "Port of Entry Ordinance, 1865."

On the Order of the day being read therefor, the Crown Officers' Salaries Extension Bill was read the third time,

And it was *Resolved* that the said Bill do pass, and that its title be the "The Crown Officers' Salaries Extension Ordinance, 1865."

On the Order of the day being read for the second reading of the Suits and Actions Limitation Bill,

Ordered that the same be read the second time presently.

According to Order, the Council resolved itself into a Committee for the further consideration of the Land Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered to be read third time to-morrow.

According to Order, the Suits and Actions Bill was read second time.

Ordered to be committed on Monday next.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till Monday the 10th instant, at 3 o'clock in the afternoon.

Monday, the 10th day of April, 1865.

The Council met at 3 o'clock in the afternoon, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

All the Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 42.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to amend the law relating to Bankruptcy and Insolvency in British Columbia."

*Government House,
10th April, 1865.*

On the Order of the day being read for the third reading of the Land Bill,

On the motion of the Hon. Mr. Cornwall,

Ordered that the said Bill be re-committed.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

Ordered to be read third time forthwith.

Read third time accordingly, and *Resolved* that this Bill do pass, and that its title be the "Land Ordinance, 1865."

According to Order, the Council resolved itself into a Committee of the whole on the Suits and Actions Limitations Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with trifling amendments.

Ordered to be read the third time forthwith.

Read third time accordingly.

And *Resolved* that this Bill do pass, and its title be "The Limitation of Foreign Actions Ordinance, 1865."

On the Order of the day being read for the consideration of the Petition against Union with Vancouver Island,

On the motion of the Hon. Mr. Holbrook,

Ordered that the same be considered at the end of the present year.

Then, on the motion of the Hon. the Attorney General,

The Standing Orders were suspended to allow him to introduce the Telegraph Extension Bill.

Ordered that the said Bill be now read the first time.

Ordered to be read the second time to-morrow.

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till 2 o'clock to-morrow afternoon.

Tuesday, the 11th April, 1865.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

All the Members present.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 43.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Bills:

(1) "An Ordinance for regulating the amount and application of the Fees to be taken in the Supreme Court of Civil Justice from suitors therein;"

(2) "An Ordinance to facilitate the creation of Ports of Entry in British Columbia;"

(3) "An Ordinance respecting Arrest and Imprisonment for Debt;"

(4) "An Ordinance respecting the Salary of the Office of Governor;"

(5) "An Ordinance respecting Marriages in British Columbia."

*Government House,
11th April, 1865.*

A further Message from His Excellency, which being read is as follows:

FREDERICK SEYMOUR.

Message No. 44.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance for regulating the acquisition of Land in British Columbia."

*Government House,
11th April, 1865.*

The Hon. Mr. Elliott rose to apologize to the House for some expressions which fell from him during yesterday's debate on the petition against Union with Vancouver Island.

Ordered that the Hon. Member's apology be received.

According to Order, the International Telegraph Extension Bill was read the second time.

Ordered to be committed at once.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose, and the Chairman reported the Bill gone through with amendments.

Ordered that the Standing Orders be suspended, in order to allow this Bill to be read the third time to-day.

Standing Orders suspended, and the Bill read third time accordingly.

And *Resolved* that this Bill do pass, and its title be "The International Telegraph Extension Ordinance, 1865."

The Hon. Mr. Homer moved that the Standing Orders be suspended in order to allow him to bring in a motion for present discussion.

Ordered accordingly.

On the question being put, it was carried *nem. con.*, and *Resolved*

That His Excellency the Governor be respectfully requested to offer such rewards as he may deem necessary, with a view of encouraging the development of the resources of the Colony, and the discovery of precious metals.

The Council then adjourned during pleasure.

On the Council resuming its Session, His Excellency the Governor was announced and, being entered within the Council Chamber, took the President's Chair.

His Excellency notified that he assented, in Her Majesty's name, to the following Bill entitled "An Ordinance further to facilitate the construction of the Over-land Telegraph."

His Excellency then made the following Speech proroguing the Council:

HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL:

It is with much satisfaction that I find myself able to relieve you to day from further attendance on your Legislative duties.

The community is much indebted to you for the zeal and assiduity you have displayed during this important Session. As the general principles of the most im-

portant Ordinances have been adopted unanimously, I allow myself to look with much confidence upon their probably beneficial influence on the public welfare.

The period of the year which relieves us from our duties as Legislators, is that upon which the most important of the works committed to the hands of the Executive must commence.

Steps have already been taken to improve our communications with Cariboo, and I am not without hope that, before the end of the year, the waggon loaded at New Westminster will have no cause to discharge till it reaches the banks of Williams Creek. Strenuous efforts are being made to secure an easy access to the Gold Fields of the Kootenay and Columbia, and it is not improbable that steam vessels will shortly run upon the intervening lakes and the last named river.

The Electric Telegraph will, ere long, connect one at least of our principal mining districts with the capital of the Colony, and through it with the larger part of the civilized globe.

A prospecting party, ably commanded, will in a few days proceed to explore the districts lying between the richest of the gold mines.

Questions of local improvement, and the promotion of Education among the younger members of the community, will engage my attention before I visit the mining and agricultural districts.

You, honourable gentlemen, will soon be widely dispersed over this extensive territory, and will carry with you a knowledge of the motives which have actuated the Legislature in passing the measures by which this Session will be principally distinguished.

I thank you for the candid, patient, and independent consideration which you have bestowed on all matters which have been laid before you.

I now proceed to close this Session. I therefore prorogue this Legislative Council, and the same is hereby prorogued accordingly.

JOURNALS
OF THE
LEGISLATIVE COUNCIL
OF
BRITISH COLUMBIA
FROM THE 18TH JANUARY, TO THE 5TH APRIL, 1866,
IN THE
29TH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA
BEING THE THIRD SESSION OF THE LEGISLATIVE COUNCIL OF
BRITISH COLUMBIA

ROLL
OF THE
HONOURABLE THE LEGISLATIVE COUNCILLORS
OF
British Columbia,
FOR THE THIRD SESSION OF THE LEGISLATIVE COUNCIL,
BEING THE YEAR 1866. 29^b VICTORIÆ.

HENRY MAYNARD BALL, ACTING COLONIAL SECRETARY AND PRESIDING MEMBER.

HENRY P. PELLEW CREASE, ATTORNEY GENERAL.

CHARLES WILLIAM FRANKS, TREASURER.

JOSEPH WILLIAM TRUTCH, CHIEF COMMISSIONER OF LANDS AND WORKS AND
SURVEYOR GENERAL.

WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS.

CHARTRES BREW, MAGISTRATE, NEW WESTMINSTER.

PETER O'REILLY, Do. KOOTENAY.

ANDREW CHARLES ELLIOTT, MAGISTRATE, LILLOOET.

JOHN CARMICHAEL HAYNES, Do. OSOYOOS AND KOOTENAY.

JOSHUA A. REYNOLDS HOMER, NEW WESTMINSTER DISTRICT.

HENRY HOLBROOK, DOUGLAS AND LILLOOET DISTRICT.

CLEMENT FRANCIS CORNWALL, HOPE, YALE, AND LYTTON DISTRICT.

GEORGE ANTHONY WALKEM, CARIBOO EAST AND QUESNEL FORKS DISTRICT.

ROBERT SMITH, CARIBOO WEST AND QUESNELMOUTH DISTRICT.

BRITISH COLUMBIA.



ARTHUR N. BIRCH

{ L.S. }

PROCLAMATION

By His Honor ARTHUR N. BIRCH, Esquire, the Officer Administering the Government of the Colony of British Columbia and its Dependencies, &c., &c., &c.

To the Honourable the Legislative Councillors of the said Colony, and every of them, and whom else it may concern;

Greeting.

WHEREAS, the Legislative Council of the said Colony stands prorogued without any time fixed for re-assembling, and it is expedient to convene the same; NOW KNOW YE that I, ARTHUR N. BIRCH, under and by virtue of all powers and authorities in me in that behalf vested, as the Officer Administering the Government of the Colony of British Columbia, do hereby command and, by the tenor of these presents, enjoin you, and each of you, that on Thursday, the eighteenth day of January, One thousand eight hundred and sixty-six, at the Council Chamber, New Westminster, personally you be and appear FOR THE DISPATCH OF BUSINESS, to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and the Public Seal of the Colony, at Government House, New Westminster, in the Colony of British Columbia, this ninth day of December, in the year of Our Lord one thousand eight hundred and sixty-five, in the twenty-ninth year of Her Majesty's Reign.

By Command.

CHARLES GOOD,
for the Colonial Secretary.

Thursday, the 18th day of January, 1866.

Pursuant to the above Proclamation, the Legislative Council met this day, the following Members being present:—The Honourables The Acting Colonial Secretary; the Attorney General; the Treasurer; the Chief Commissioner of Lands and Works; the Collector of Customs; Chartres Brew, J.P.; P. O'Reilly, J.P.; J. A. R. Homer; Henry Holbrook; G. A. Walkem; Robert Smith.

At 2, P.M., His Honor Arthur N. Birch, Esquire, the Officer Administering the Government in the absence of His Excellency Frederick Seymour, entered the Council Chamber, accompanied by the Private Secretary, and, being seated in the President's Chair, administered the customary oaths of allegiance and office to the new Members, the Hon. J. W. Trutch, Chief Commissioner of Lands and Works, and the Hon. Robert Smith, Member for Quesnel.

His Honor then delivered the following gracious Speech:—

Honourable Gentlemen of the Legislative Council:

It is with feelings of no ordinary interest and satisfaction that I meet you to-day, and have recourse to your advice and assistance in promoting the welfare of this Colony.

Of the twenty-eight Ordinances passed by this Council during the late Session, twenty-three have received Her Majesty's approval. Her Majesty has been pleased to disallow the Ordinance to declare the limitation of Foreign Suits and Actions. The Secretary of State has suggested certain alterations in the Ordinance in aid of the Trustees' Relief Act before it can receive the Royal assent. This Ordinance, in the amended shape, will be laid before you. A decision on the Ordinance respecting Marriages in British Columbia, and on the Supply Ordinance is deferred. I have received no intimation of the Secretary of State's views on the Ordinance to amend the Duties of Customs.

I shall take an early opportunity of laying before you, copies of Despatches from the Secretary of State, in reply to the Resolutions adopted by this Council on subjects relating to Naval Protection, the Expenditure incurred by the Colony on account of the Expedition against the Chilicoten Indians, and the claim made by the Imperial Government for repayment of the cost of erecting the Buildings at the Camp, lately occupied by the Detachment of the Royal Engineers.

Unforeseen obstacles have retarded the Government in carrying out the Resolution, adopted by this Council, as regards the Survey of Pre-empted Lands throughout the Colony. Arrangements are, however, in progress which will, I trust, enable the Chief Commissioner of Lands and Works to undertake this work without further delay. Measures will, at the same time, be taken to alter the present unsatisfactory system of Indian Reserves. I am in no way convinced of the necessity of any Legislative enactment for this purpose. In all matters connected with the Native Race a large discretionary power must necessarily, in my opinion, be left in the hands of the Executive.

A Statement of the Votes required to cover Expenditure incurred during the past year, for which a previous Vote has not been taken, will be laid before you in a Supplementary Estimate, together with a detailed account of the actual Revenue and Expenditure. The Votes taken for the Public Service of the year 1865, amounted to £225,946, and as nearly as can be ascertained at this early period of the year, the total Expenditure, embracing the Supplementary Estimates, to £185,000.

You will be prepared for the announcement I have to make to you that the Revenue falls short of the Estimate by a considerable amount. That Estimate, as you are aware, was based on the supposition that a large immigration would take place to the newly discovered mines in the Kootenay District. The counter attractions offered by fresh discoveries in the neighbouring Territory left this District comparatively deserted. The main items, however, under which the Estimate has proved in excess of the actual Revenue, are the Gold Export Tax and the Road Toll Receipts. The Estimate for the amount to be derived from Road Tolls was based on the Revenue obtained from the same source in the two previous years. The cause of the great falling off must be attributed partly to the extreme severity of the winter, which prevented communication with our Northern Mines, and retarded the general traffic of the country until the month of May, and partly in consequence of the Ordinance passed by this Council, late in the last Session, allowing farm produce to be exempt from Road Tolls. The loss to the Revenue by this exemption is a subject for congratulation rather than otherwise, as it is an evidence of the increasing amount of produce now raised by the Settlers in the Upper Country.

With much satisfaction, I refer you to the Public Works undertaken during the past year. The main waggon road is now completed to the very centre of the Cariboo District. Communication between the towns of Richfield and Cameron-town is facilitated by the formation of a road. A substantial pack trail has been constructed, by way of the Southern Boundary, to the Kootenay District—or rather, I might say, to the Rocky Mountains—a distance estimated at three hundred and eighty miles from the town of Hope. The country lying between the Fraser and

the Columbia has been carefully surveyed, and a trail is already opened to connect the Columbia River with the navigable waters of the Shuswap Lake. Several Exploration parties have been fitted out by Government, and large tracts of country explored, with what varied success you are already aware, from the Reports which have from time to time appeared in the *Government Gazette*. A Light Ship has been built, and is stationed at the entrance to the Fraser River. Substantial Iron Buoys having arrived from England, will shortly be placed in position clearly to define the channel. The construction of a wagon road between New Westminster and Yale is nearly completed, having been undertaken in conjunction with the Western Union Telegraph Company, whose line of Telegraph following this route has already penetrated upwards of four hundred miles into the Interior, and will, I trust, should the same energy be displayed as heretofore, place us in Telegraphic communication with the whole civilized world before the close of another season.

The Estimates of expected Revenue, and proposed Expenditure for the present year, will be laid before you without delay. Fully impressed with the necessity of retrenchment, you will find that considerable reductions have been made in the Establishments to the extent of nearly \$30,000, without I trust, unduly weakening the efficiency of the Public Service. A portion of this reduction will, however, be absorbed in new Offices, which it has been necessary to create, such as those connected with the Light Ship.

You will find the Estimates contemplate a large outlay in the construction of roads and trails to facilitate access to the new mining district of the Columbia. Fully persuaded that you will agree with me, in the importance of opening communication with the Upper Columbia, for the early spring traffic, I have already sanctioned the construction of a wagon road from the main trunk line at Cache Creek to Savana's Ferry, and arrangements have been entered into for a Steamer to be in readiness for the navigation of the Kamloops and Shuswap Lakes, at once placing the new Gold Fields of the Upper Columbia within easy and cheap access of the Fraser River. The expenses connected with these undertakings will be found in the Estimates. An appropriation will also be asked for opening a route to the newly discovered Gold Diggings on the upper branches of the Bridge River.

It is with great reluctance that I propose to you the abolition of the Duty on the Export of Gold. Of the justice and equity of the Tax, I am as fully convinced as when in this Council I strongly advocated the measure, and I should now hesitate to take this step, did I not consider it to be the paramount duty of the Executive to carry out as far as possible the well understood wishes of the community. I cannot but observe that from various causes a large majority of the people of British Columbia formerly in favour are now opposed to this mode of taxation. Admitting this, I am confident I only carry out the wishes of the Governor in taking this course; to use His Excellency's own words—"The last thing the Government of this Colony would desire to do, is to discourage the miners from developing its resources, or allow any portion of our population to lapse into a state of political discontent."

The public works which I think you will agree with me as absolutely necessary to be undertaken in promotion of the progress and welfare of the Colony, oblige me to propose to you additional taxation to meet the loss which will accrue to the Revenue by the abolition of the Gold Tax. Following out the recommendation of the Mining Board, I advise that the Mining Licence be made compulsory on all employed in mining pursuits. Her Majesty's "Instructions" forbid any restrictions being placed on "persons of African, Asiatic, or Indian birth, to which persons of European birth or descent are not subjected or made liable." It is therefore, only by this measure that our large Chinese population can be made to contribute to the Revenue in equal proportion to the white race. Few Chinamen now take out a Mining Licence, whereas on the other hand few white miners are to be found without one.

I further suggest for your consideration the propriety of increasing the Trade and Liquor Licences throughout the Colony.

Should you agree with me in the expediency of abolishing the Duty on the Export of Gold, there will be no means left to the Executive to obtain any statistical information of the annual yield of Gold, a matter I consider of much importance. I therefore invite you to consider whether some system of Registration might not be

adopted for this object, not liable to the same objections as those brought forward against the Gold Export Tax.

The Postal Service requires your attentive consideration. Tenders for the conveyance of the Mails during the present year have been called for by Public Notice, and when received will be laid before you. It will be for you to consider whether the Revenue justifies a bi-weekly service to our Northern Mines, especially at a time when I believe you are unanimous in the opinion that it is incumbent upon the Government to provide direct Steam communication with San Francisco. The establishment of direct Steam communication is a matter of the utmost importance. I am now in correspondence on this subject, and trust to be able to make satisfactory arrangements before the commencement of the spring traffic.

The material interests, and the permanent stability of the Colony are dependent on a fixed population. I would invite your earnest attention to the best means to adopt for introducing and fostering the immigration of a class of Settlers likely to make this country their home. The opening of new and extensive mining and agricultural districts during the past season, and also of different lines of access to them, offer many and favourable inducements for settlement hitherto unknown. The experience of the last year has clearly shown that the agricultural lands of this Colony are well adapted for the cultivation of cereals and vegetables of all descriptions, and large tracts of the best lands are fortunately most favourably situated for the supply of the principal Mining districts.

I am aware that a numerously signed Petition will shortly be presented to you, emanating from Miners and Traders in the Cariboo District, praying that some alteration may be made in the Mining Laws "to provide for the speedy hearing and "determining of all disputes concerning Mining interests." I fully agree with the Petitioners that the present expensive system of litigation is "productive of great "injury to the general welfare, progress, and development of the whole Mining "interests of the Colony." A considerable portion of our last Session was occupied in consolidating and amending the Mining Laws, more especially with a view to remedy the evil of which the Petitioners complain, the Draft Ordinance introduced with this object having been framed under the immediate superintendence of the Mining Board of Cariboo. Although I still believe the Laws at present in force are capable of meeting every requirement, I shall be anxious to give my most attentive consideration to any suggestions you may wish to offer on this important subject, when the Petition is before you.

The Law relating to the Pilotage of Vessels within the waters of British Columbia requires immediate alteration. A Bill with this object will be laid before you.

I shall take the opportunity as the Session progresses of bringing other measures of importance before you by Message.

The absence of crime in the past year is worthy of more than a passing notice. During the extended circuit of the Supreme Court, only two white men were convicted on criminal charges, and the Indian population throughout the Colony has been, I rejoice to say, peaceable and orderly.

Reflecting on the extent and number of our resources, so largely added to by the discoveries of the past year, and day by day being developed, I recognize on every side subjects for congratulation and thankfulness, and confidently hope that the year which has just dawned upon us will be one of unusual success. I earnestly invite your cordial co-operation in the passage of those measures best calculated to promote the prosperity of the country, and I fervently trust that He who holds the destiny of nations in the hollow of His Hand will guide our deliberations to a happy issue.

His Honor then left the Council Chamber.

The Hon. H. M. Ball, Acting Colonial Secretary, took the Chair as Presiding Member.

On the motion of the Hon. Mr. Ball, the Hon. Mr. Trutch seconding,

Ordered, That His Honor's Speech be printed for the use of Members.

On the motion of the Hon. the Attorney General, the Hon. Mr. Homer seconding, Ordered, That a Select Committee be appointed, to be named by the Presiding Member, to draw up and submit to the Council a reply to His Honor's gracious Speech.

The Presiding Member named the following Honourable gentlemen accordingly:—The Honourables the Attorney General, the Chief Commissioner of Lands and Works, J. A. R. Homer, P. O'Reilly, G. A. Walkem.

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till 3 o'clock on Monday, the 22nd instant.

Monday, the 22nd day of January, 1866.

PUBLIC NOTICE.

COLONIAL SECRETARY'S OFFICE,
January 18th, 1866.

WHEREAS, by a Proclamation issued under the hand of the Officer Administering the Government of British Columbia, and dated the 9th of December, 1865, the Legislative Council of the said Colony, was convened to meet on the 18th instant;

AND, WHEREAS, Her Majesty, by Instructions issued under the Royal Sign Manual and Signet, and dated the 31st day of July, 1863, appointed and declared that the following Public Officers shall be, during Her Majesty's pleasure, Members of the said Legislative Council, that is to say the respective Officers lawfully acting for the time being

As Colonial Secretary for the said Colony,
As Attorney General for the said Colony,
As Treasurer for the said Colony,
As Chief Commissioner of Lands and Works for the said Colony,
As Collector of Customs for the said Colony.

THESE ARE FURTHER TO NOTIFY and declare that, in pursuance of the power and authority given under the Order in Council of the 11th June, A. D. 1863, and Her Majesty's instruction as aforesaid, already published in the *Government Gazette* of the 9th January, 1864, the Officer Administering the Government has nominated and appointed the undermentioned Public Officers and Non-Official Members to be, during Her Majesty's pleasure, Members of the said Legislative Council:—

The Honourables

Chartres Brew, Magistrate, New Westminster,
Peter O'Reilly, Magistrate, Kootenay,
Andrew Charles Elliott, Magistrate, Lillooet,
John Carmichael Haynes, Magistrate, Osoyoos,
Joshua Attwood Reynolds Homer, for New Westminster,
Henry Holbrook, for Douglas-Lillooet,
Clement Francis Cornwall, for Yale-Lytton,
George Anthony Walkem, for Cariboo East and Quesnel Forks,
Robert Smith, for Cariboo West and Quesnelmouth.

Provided always that such appointments as last mentioned shall be provisional only as aforesaid, and provided also that they shall continue in force, unless previously determined, until the first day of June, A. D. 1866. AND THESE ARE FURTHER TO NOTIFY, SUMMON, AND CONVENE the various Officers and persons as aforesaid, to meet at New Westminster, on MONDAY, the 22nd JANUARY, 1866, to which day the Council stands adjourned.

By Command.
H. M. BALL,
Acting Colonial Secretary.

Pursuant to the above notice and to special notification from His Honor, the Council met at 2 o'clock, the following Members being present:—The Honourables Messrs. Ball, Crease, Trutch, Hamley, Brew, O'Reilly, Elliott, Homer, Holbrook, Cornwall, Walkem, Smith.

His Honor then entered the Council Chamber, and administered the oath of allegiance and office to all the Members present.

His Honor then retired.

The Hon. Mr. Ball took the Chair as Presiding Member.

The minutes of the previous Meeting read and confirmed.

The Hon. the Attorney General, Chairman of the Select Committee appointed to prepare an address in reply to His Honor's opening Speech, brought up a report, and the same was read as followeth:—

To His Honor Arthur N. Birch, Esquire, the Officer Administering the Government of British Columbia, &c., &c., &c.

The humble Address of the Legislative Council.

May it please Your Honor:

We, Her Majesty's dutiful and loyal subjects, the Legislative Council of British Columbia, have received the opening Speech with which Your Honor has inaugurated the proceedings of the Legislative Council for 1866, with the greatest satisfaction.

2. The result of the labours of this Council during the past year having so generally met with confirmation, encourages us to hope that measures of such extreme importance as those still awaiting adoption may also, ere this, have obtained Her Majesty's assent.

3. The promised Despatches relative to Naval Protection, the expenses of the Chilicoten Expedition, and the Military Expenditure of the Royal Engineers stationed in this Colony, will be perused with much interest.

4. We hail with much pleasure the determination expressed by Your Honor to carry out an early and definitive survey and settlement of our agricultural lands, and to adjust the Indian Reserves.

5. The Supplementary Estimates, when laid before us, shall receive our best attention.

6. We join with Your Honor in regretting that the Revenue of the past year has not fulfilled the expectations of the Council, in common with the rest of the community with respect to it, and we regret the unexpected causes which led to this result.

7. The judicious promptitude with which Your Honor has initiated a system of retrenchment is accepted as a proof of the care and economy with which the Government is conducted.

8. Whilst on the one hand the proposed Estimates will be scanned on this account with unusual interest, every assurance on the other hand is given that no reasonable sacrifice will be spared to aid the Government in procuring direct steam communication with San Francisco, in extending the main lines of inland communication, in developing its Gold Mines of Big Bend, Cariboo, Bridge River, Kootenay, and other Districts, and in fostering all interests on which the wellbeing of the Colony depends.

9. The Postal Service is, in our opinion, a matter of great importance, and shall receive our careful consideration when the respective tenders shall be laid before the Council.

10. We are rejoiced to find that the Explorations of last year have resulted in the discovery of an easy and natural pass for rail or waggon between the valleys of the Fraser and Columbia Rivers, so that the construction of a continuous line of road from our Gold Fields through the Rocky Mountains, to connect with the various Emigrant Routes to Canada by the Saskatchewan, is now proved to be feasible. The importance of this discovery can scarcely be overrated.

11. The proposed Laws, and all other measures that will advance the moral and material interests of the Colony, shall have our constant attention.

12. The absence of crime among our white population, and the peaceful condition of the Indian Tribes throughout our extended Territory, are subjects of heartfelt congratulation, and are mainly to be attributed, in our estimation, to the firm and conciliatory policy of His Excellency the Governor, whose unwearied assiduity in promoting the best interests of this Colony command our heartfelt acknowledgments and thanks.

13. We have the utmost confidence in the natural wealth and capabilities of the Country, and in the steps now in progress to attract capital and population for its development.

14. We recognize in the skill and good faith with which the Government has been administered during the absence of His Excellency, an earnest of the vigour with which all these advantages will be turned to profitable account; and, relying on the Great Disposer of Events, look forward with hopeful confidence to a period of more than average prosperity.

Then, on the motion of the Hon. R. Smith, the Hon. Mr. Cornwall seconding,
Ordered, That the report be received and the Committee discharged.

On the motion of the Hon. Mr. Holbrook, Hon. Mr. Elliott seconding,
Ordered, That the report as submitted by the Select Committee be adopted.

On the motion of the Hon. Mr. Cornwall, seconded by the Hon. Mr. Elliott,
Ordered, That the reply to His Honor's Speech be engrossed and signed by the Presiding Member.

On the motion of the Hon. Mr. Walkem, Hon. Mr. Holbrook seconding,
Ordered, That the reply be presented to His Honor by the whole House.

On the motion of the Hon. Mr. Elliott, Hon. Mr. O'Reilly seconding,
Ordered, That the Presiding Member be requested to ascertain at what hour His Honor would be pleased to receive the address.

The Hon. the Presiding Member stated that His Honor would be pleased to receive the Council at 2 o'clock to-morrow.

The Hon. Mr. Holbrook gave notice of 4 motions.

The Hon. the Attorney General gave notice of 3 motions.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till half-past 1 o'clock p.m. to-morrow, the 23rd instant.

Tuesday, the 23rd day of January, 1866.

The Council met at half-past 1 o'clock, pursuant to adjournment.

All the Members present on the names being called over, except the Hon. Mr. Brew, absent on leave.

His Honor the Officer Administering the Government, having entered the Council Chamber, administered the oath of allegiance and office to the Hon. C. W. Franks, Treasurer.

His Honor then left the Council Chamber.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

Then on the motion of the Hon. Mr. O'Reilly, the Council adjourned during pleasure.

On the Council resuming its sitting, the Presiding Member informed the Council, that, in pursuance of the order of the Council, he, in company with several Members of the Council, had attended upon the Officer Administering the Government, to deliver the address in reply to His Honor's speech at the opening of the Session, and that His Honor had been pleased to make thereto the following answer.

Honourable Gentlemen of the Legislative Council:

I thank you sincerely for the address which has just been read, and for the assurance you give me that the business of the Session shall receive your careful consideration.

It is a source of much gratification to me to find that you are prepared so generally to approve the actions of the Government.

During my temporary administration of the affairs of the Colony, my earnest endeavours shall be directed to support as far as circumstances will permit the policy inaugurated by His Excellency the Governor.

The Hon. Mr. Holbrook gave notice of motion.

Then, on the motion of the Hon. Mr. Holbrook, the Hon. Mr. Walkem seconding,

Resolved, That His Honor be respectfully requested to lay before this Council a Return of the amounts received during the past year for Roads' Tolls, as far as is now ascertained, and a Return of the amounts expended in repairs and clearing away snow on the Waggon Roads, particularizing the several districts from which the money has been received and in which the expenditure has been made.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Homer seconding,

Resolved, That His Honor be respectfully requested to lay before this Council a Return of the amount received for Tonnage Dues at the Port of New Westminster during the past year.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Cornwall seconding,

Resolved, That His Honor be respectfully requested to lay before this Council a Return of the amount received for the Export Duty on Gold during the past year at the Port of New Westminster, as far as has been ascertained; also the amount received for the same tax at the Southern Boundary.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Smith seconding,

Resolved, That His Honor be respectfully requested to lay before this Council a Return of the amount of Customs Duties received at the Southern Boundary during the past year, as far as has been ascertained, and at the same time to inform the Council if the Customs duties are charged on the price of goods at the place they cross the Boundary from the American Territory as being the last place of shipment, or on the price of goods at Portland.

The Hon. the Attorney General brought in the Trustees' Relief Bill.

Ordered that the said Bill be now read the first time.

Read first time accordingly.

Ordered to be read second time on Thursday next.

also the Union Telegraph Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Thursday next.

also the Confirmatory Bill.

Ordered that the said Bill be now read the first time.

Read the first time accordingly.

On the motion of the Attorney General,

The Standing Orders were suspended to allow of the said Bill being read first and second time, committed, and passed in one day.

Bill read the second time accordingly.

The Council then went into Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Walkem in Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with some slight alterations.

Ordered that the said Bill be now read the third time.

Read the third time accordingly, and Resolved that this Bill do pass, and its title be the "Confirmatory Ordinance, 1866."

Then, on the motion of the Hon. Mr. Franks, the Council adjourned till Thursday, the 25th instant, at 2 o'clock p.m.

Thursday, the 25th day of January, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

Minutes of the previous Meeting read over and confirmed.

A Message from His Honor the Officer Administering the Government, which being read is as follows:

ARTHUR N. BIRCH.

Message No. 1.

The Officer Administering the Government transmits for the information of the Honourable the Legislative Council a copy of a despatch from the Secretary of State for the Colonies, in reply to the Resolution passed by the Council on the subject of the expense incurred by the Colony in the Expedition against the Chilcoten Indians.¹

*Government House,
25th January, 1866.*

¹ Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 18 January to 5 April 1866 (New Westminster, Government Printing Office, 1866), p. i.

A further Message from His Honor read as follows:

ARTHUR N. BIRCH.

Message No. 2.

The Officer Administering the Government informs the Council that he has assented, in Her Majesty's name, to the Ordinance entitled
No. 1. An Ordinance in confirmation of certain Ordinances.

*Government House,
25th January, 1866.*

The Hon Mr. Holbrook gave notice of motion.

On the same Hon. Member giving further notice of motion, a debate arose on the question of the same motion being placed on the Order Book.

On the question being put a division took place.

Ayes 11, Noes 2,

So it was Resolved in the affirmative and Ordered accordingly.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Homer seconding,

Resolved, That His Honor be respectfully requested to lay before this Council, at as early a date as possible, Returns of the amount of money paid by Government to the Hospital at Cariboo during the past year, 12 months, also the number of patients received in that Hospital or who have had relief from the institution during that time; also a Return of the amount paid to the Hospital at New Westminster during the same period, and the number of patients that have been received in or have had relief from the institute.

On the Order of the day being read for the second reading of the Trustees' Relief Act,

Bill read second time accordingly.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill accordingly.

The Presiding Member left Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time to-morrow.

On the Order of the day being read for the second reading of the Union Telegraph Bill.

Read second time accordingly.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with one slight amendment.

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Homer, the Council adjourned till to-morrow, Friday, the 26th instant, at 2 o'clock.

Friday, the 26th day of January, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. Mr. Ball in the Chair as Presiding Member.

At a quarter past 2 o'clock, there being no quorum, the Presiding Member adjourned the Council till 3 o'clock on Monday, the 29th instant, without a question first put.

Monday, the 29th day of January, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the two previous Meetings were read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 3.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Legislative Council the only Tender which has been received for the Conveyance of Mails within the Colony.

The Officer Administering the Government is of opinion that, in view of the improved means of communication with Cariboo and the large reduction in the price of grain throughout the Colony, the terms offered by Messrs. Dietz and Nelson are excessive.

The Officer Administering the Government would suggest that the Council resolve itself into a Committee of the whole to consider the subject of the Postal Service, with a view to remodel the present system.

*Government House,
29th January, 1866.*

The Hon. Mr. Walkem moved that the Council do go into Committee of the whole to consider this Message.

The Hon. Mr. Ball moved in amendment that the words "with closed doors" be added.

On the amendment being put it was carried *nem. con.*, and Ordered accordingly.

The Council resolved itself into the said Committee.

The Presiding Member left the Chair.

The Hon. Mr. Elliott in the Chair of the Committee.

The Committee rose and the Chairman reported progress, and asked leave to sit again.

Ordered that leave be granted on next session of the Council.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Holbrook moved, the Hon. Mr. Homer seconding,

That His Honor be respectfully requested to inform this Council whether it is true that the Government of Vancouver Island have sent in an account asking the Government of this Colony to pay the sum of \$9,360 towards the support of their Light Houses, and the sum of \$15,125 for carrying their Mails between San Francisco and Victoria, and whether this Government entertains the payment of such a demand.

The Hon. Mr. Brew moved in amendment that the words "His Honor be respectfully" be altered to "The Hon. the Acting Colonial Secretary."

On the amendment being put the Council divided.

Ayes 5, Noes 7,

So it passed in the negative.

On the original question being put the Council again divided.

Ayes 3, Noes 9,

So it passed in the negative and the Resolution was lost.

The Hon. Mr. Holbrook moved, the Hon. Mr. Smith seconding,

That this Council do now go into a Committee of the whole to consider His Honor's Message in reference to the Chilicoten Expedition.

On the question being put the Council divided.

Ayes 4, Noes 9,

So it passed in the negative and the Resolution was lost.

On the Order of the day being read therefor,

The Trustees' Relief Bill was read the third time, and it was Resolved that this Bill do pass, and that its title be the "Trustees' Relief Ordinance, 1866."

On the Order of the day being read therefor,

The Telegraph Extension Bill was read third time, and it was Resolved that this Bill do pass and its title be the "International Telegraph Ordinance, 1866."

The Hon. Mr. Walkem moved that this Council do now adjourn till 3 o'clock p.m. on Thursday next.

The Hon. Mr. Cornwall moved in amendment that the Council do adjourn till 3 to-morrow.

On the amendment being put the Council divided.

Ayes 8, Noes 4.

So it passed in the affirmative, and it was Ordered that the Council do adjourn till 3 o'clock to-morrow afternoon, the 30th January.

Tuesday, the 30th day of January, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

Minutes of the previous Meeting read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 4.

ARTHUR N. BIRCH.

In compliance with the Resolution of the Legislative Council, the Officer Administering the Government transmits a Return shewing the Revenue derived from Road Tolls during the past year; also a Return of the amount expended, in the same period, in repairs and clearing away snow on the Roads upon which Tolls are levied.²

*Government House,
29th January, 1866.*

A further Message from His Honor, which was read as follows:

Message No. 5.

ARTHUR N. BIRCH.

In compliance with a Resolution of the Legislative Council, the Officer Administering the Government transmits a Return of the amount received for Tonnage Dues at the Port of New Westminster, during the past year.³

*Government House,
29th January, 1866.*

A further Message from His Honor, read as follows:

Message No. 6.

ARTHUR N. BIRCH.

In compliance with the Resolution of the Legislative Council, the Officer Administering the Government transmits a Return of the amount received for the Duty on the Export of Gold during the past year, at the Port of New Westminster and at the Southern Boundary.⁴

*Government House,
29th January, 1866.*

A further Message from His Honor, read as followeth:

Message No. 7.

ARTHUR N. BIRCH.

In compliance with a Resolution of the Legislative Council, the Officer Administering the Government transmits a Return of the amount of Customs Duties received at the Southern Boundary, during the past year.⁵

*Government House,
29th January, 1866.*

According to Order, the Council resolved itself into a Committee of the whole for the further consideration of His Honor's Message on Postal matters.

The Presiding Member left the Chair.

The Hon. Mr. Elliott in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in a Resolution, which the Committee suggested should be adopted.

² *Ibid.*, p. i.

³ *Ibid.*, p. ii.

⁴ *Ibid.*, p. ii.

⁵ *Ibid.*, p. ii.

Then, on the motion of the Hon. Mr. Trutch, the Hon. Mr. Crease seconding,

Resolved, That this Council is of opinion that a Mail Service from New Westminster to Cariboo and Savana's Ferry twice a week during the summer months is of advantage to the Colony, but that the sum of £7,000 asked for it by the tender of Messrs. Dietz and Nelson is excessive.

If the price be reduced to £6,000 the Council would recommend this tender to be adopted.

On the motion of the Hon. Mr. Holbrook, the Hon. Mr. Cornwall seconding,

Resolved, That His Honor be respectfully requested to lay before this Council a Return of the amount received for Mining Licences during the past year.

The Hon. Mr. Elliott moved the adjournment.

The Hon. the Attorney General moved that the Standing Orders be suspended to allow him to place on the Order Book notice of certain Bills.

Standing Orders suspended accordingly.

The Hon. the Attorney General gave notice that on Thursday next he would introduce the following Bills:

A Bill to consolidate and amend the Trades Licences;

A Bill to make the payment of Mining Licences compulsory.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till 3 p.m. Thursday.

Thursday, the 1st day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. Brew absent on leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The minutes of the previous Meeting read and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

ARTHUR N. BIRCH.

Message No. 8.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled An Ordinance in relief of the Trustees' Relief Act.

*Government House,
31st January, 1866.*

A further Message from His Honor read as follows:

ARTHUR N. BIRCH.

Message No. 9.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled An Ordinance to incorporate the Western Union Telegraph Company, in lieu of the Western Union Telegraph Extension Company.

*Government House,
31st January, 1866.*

The Hon. the Attorney General brought in, according to Order, the Mining Licences Bill.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Thursday next, the 8th instant, and the Trades Licence Bill.

Ordered that the same be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Thursday next, the 8th instant.

Then, on the motion of the Hon. the Treasurer, the Council adjourned till 3 o'clock on Tuesday, the 6th instant.

Tuesday, the 6th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

At a quarter past 3 o'clock p.m., there not being a quorum present, the Hon. H. M. Ball took the Chair as Presiding Member, and adjourned the Council till 3 o'clock on Thursday, the 8th instant, without a question first put.

Thursday, the 8th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 10.

ARTHUR N. BIRCH.

In compliance with a Resolution of the Legislative Council, the Officer Administering the Government transmits a Return of the number of Mining Certificates issued during the year 1865.⁶

*Government House,
8th February, 1866.*

A further Message from His Honour, as follows:

Message No. 11.

ARTHUR N. BIRCH.

With reference to the Resolution adopted by the Legislative Council on the 14th March last, the Officer Administering the Government lays before the Council copies of Despatches from the Secretary of State, on the subject of the Imperial claim on account of Military Expenditure during the years 1859-60.⁷

*Government House,
8th February, 1866.*

⁶ *Ibid.*, p. ii.

⁷ *Ibid.*, p. iii.

The Hon. Mr. Holbrook gave notice of motion.

According to Order, the Hon. Mr. Walkem moved for leave to bring in the Joint Stock Companies Amendment Bill.

Ordered that leave be granted.

The Hon. Member, accordingly, presented the said Bill.

Ordered that the same be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Monday next.

The Hon. Mr. Walkem moved that the Standing Orders be suspended in order to allow him to lay a Petition just received by him before the Council.

Standing Orders suspended accordingly.

The Hon. Member presented and read the Petition of certain workmen on Munroe's [Munro's] Road.

The Hon. Mr. Walkem moved that the Council do go into Committee of the whole on this Petition on some day to be named.

The Hon. the Attorney General moved in amendment that the said Petition be referred to a Select Committee to be named by the Presiding Member.

Ordered accordingly.

The Hon. Presiding Member named the following:—The Honourables Messrs. Crease, Brew, Elliott, Holbrook, Walkem.

On the Order of the day being read for the second reading of the Trades Licence Bill, a debate arose.

On the question being put the Council divided.

Ayes 11, Noes 1.

So it was Resolved in the affirmative, and Ordered accordingly.

Bill read the second time, and Ordered to be committed forthwith.

The Presiding Member left the Chair.

The Hon. Mr. Franks in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some progress made with the Bill, and asked leave to sit again.

On the motion of the Hon. Mr. Walkem that another Chairman should be appointed, the Hon. the Presiding Member stated that it was not in his power to remove the present Chairman, but that he was at liberty to resign.

The Hon. Mr. Franks resigned the Chairmanship of the Committee on the the Trades Licence Bill accordingly.

Ordered that the Council do go into a Committee of the whole on the said Bill to-morrow.

On the Order of the day being read therefor, the Compulsory Mining Licence Bill was read the second time.

Ordered to be committed to-morrow.

The Hon. the Acting Colonial Secretary laid the Estimates of Revenue and Expenditure for the present year before the Council.

Ordered that the Council do resolve itself into a Committee of Supply to-morrow.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 3 o'clock to-morrow, the 9th instant.

Friday, the 9th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. Ball in the Chair as Presiding Member.

All Members present.

The Minutes having been read and the question being put if they should be passed as read, the Council divided.

Ayes 10, Noes 1,

So it was Resolved in the affirmative and Ordered accordingly.

The Hon. Mr. Cornwall gave notice of 2 motions.

According to Order, the Hon. Mr. Holbrook asked the Hon. the Acting Colonial Secretary to inform the Council what steps the Government propose to take in regard to opening the communication from Lillooet to the Bridge River Mines in the ensuing spring.

The Acting Colonial Secretary replied.

On the Order of the day being read for the adjourned consideration in Committee of the Trades Licences Bill,

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman said he was instructed to hand in the accompanying Resolution, embodying a question on which it was the desire of the Committee to obtain the decision of the Hon. the Presiding Member, and to ask leave to sit again immediately.

The Resolution was as follows:

Moved by the Hon. the Attorney General, seconded by the Hon. Mr. Trutch,

That the Committee do rise and report progress, and refer to the President the decision of the question as to whether or not the decision of the Chairman of this Committee that the amendment to the 3rd clause of this Bill was negatived was correct or not, and ask leave to sit again immediately.

The Presiding Member decided that the motion to which reference was made in the Resolution was duly carried, according to the Standing Orders of the Council, and it was Ordered accordingly.

Leave having been granted for the Committee to sit again immediately,

The Presiding Member left the Chair.

The Hon. Mr. Brew in Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported considerable progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for Monday next.

The Hon. Mr. Cornwall asked that the Standing Orders may be suspended in order to allow him to make a notice of motion.

Ordered accordingly, and notice of motion given.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 2 o'clock on Monday, the 12th instant.

Monday, the 12th day of February, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous meeting were read and confirmed.

According to Order, the Hon. Mr. Cornwall asked the Acting Colonial Secretary to inform this Council what steps have been or are to be taken with reference to the extensive Indian Reserves on the Okanagan Lake and Thompson River.

The Hon. Mr. Ball replied.

The Hon. Mr. Cornwall moved, the Hon. Mr. Walkem seconding,

That it is the opinion of this House that, for the due protection of life and property, it is requisite that some strong handrail be erected on the outside of the more dangerous parts of the road between Yale and Lytton, or that other means be taken to answer the same purpose.

The Hon. Mr. Crease moved in amendment, the Hon. Mr. Trutch seconding,

That the words "what the Government shall consider" be inserted between "of" and "the."

On the amendment being put the Council divided.

Ayes 5, Noes 7,

So it passed in the negative.

On the original question being put the Council again divided.

Ayes 7, Noes 5,

So it was Resolved in the affirmative and Ordered accordingly.

On the Order of the day being read therefor,

The Council resolved itself into a Committee of the whole for the further consideration of the Trades Licences Bill,

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Thursday next.

According to Order, the Council went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the subjoined Resolution for the approval of the Council, and asked leave to sit again.

Resolved, That this Council recommend that the following supplies be voted for the several Establishments named:

His Excellency the Governor	\$21,929 50
Legislative Council	2,220 00
The Colonial Secretary	16,195 50
The Treasurer	9,427 00
Assay and Refinery Office	4,790 00
Auditor General	4,080 00
Chief Commissioner of Lands and Works ...	13,595 00
Collector of Customs	13,848 65
Registrar General	2,925 00
Harbour Master	5,400 00
Postmaster General	4,310 00

Ordered that the report be adopted, and that leave be granted to the Committee to sit again to-morrow.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till 2 o'clock p.m. to-morrow, the 13th instant.

Tuesday, the 13th day of February, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

Minutes of the previous Meeting read over and confirmed.

According to Order, the Council went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the subjoined Resolution for the approval of the Council:

Resolved, That this Council recommend that the following supplies be voted for the several Establishments and services named:

Judicial Establishment	\$13,047 50
Police and Gaols	11,118 80
Gold Commissioners & Stipendiary Magistrates	55,471 10

EXCLUSIVE OF ESTABLISHMENTS.

Pensions	970 00
Revenue Services	2,000 00
Administration of Justice	7,150 00
Charitable Allowances	8,000 00
Education	5,000 00
Police and Gaols	11,950 00
Rent	1,650 00
Transport	12,750 00
Conveyance of Mails	31,281 00
Works and Buildings	26,000 00
Roads, Streets, and Bridges	125,500 00
Miscellaneous Services	8,225 00
Interest	66,630 00
Drawbacks and Refunds	600 00
Redemption of Bonds	20,612 50
Sinking Fund	42,437 50
Temporary Loans	170,000 00
Government Vessels	3,000 00

Ordered that the Report be adopted, and the Committee have leave to sit again to-morrow.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till to-morrow, Wednesday, the 14th instant, at 3 o'clock p.m.

Wednesday, the 14th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Cornwall rose to speak to a question of privilege, in reference to the reports of the proceedings of the Council as they appeared in the newspaper entitled the *British Columbian*, which he alleged were intentionally incorrect, and moved the following Resolution censuring the Reporter of that newspaper, the Hon. the Treasurer seconding:

That the Reporter of the *British Columbian* newspaper receive the censure of this House for a report of certain proceedings made *mala fide* and incorrectly.

On the question being put the Council divided after a debate.

Ayes 8, Noes 4.

The Hon. Mr. Holbrook moved that the names be taken down by the Clerk.
Names taken down as follows:

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Crease,	The Hon. Messrs. Holbrook,
Franks,	Homer,
Trutch,	Walkem,
Hamley,	Smith.
Brew,	
O'Reilly,	
Elliott,	
Cornwall.	

So it was Resolved in the affirmative and Ordered accordingly.

According to Order, the Council resolved itself into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council, and reported the discussion and passing of the Estimates terminated.

Resolved, That this Council recommend the following additions and increase to be made to the Estimates:

- \$1,000 for a Gaol at Lillooet (increase),
- 500 for destitute poor and sick (increase),
- 1,000 for Court House at Yale (addition),
- 5,000 for Clinton-Yale Road (increase),
- 2,500 for handrail on Yale-Lytton Road (addition).

Ordered that the report be adopted.

On the Order of the day being read for the committal of the Compulsory Mining Licence Bill,

On the motion of the Hon. the Attorney General,

Ordered that the committal of the said Bill be deferred till to-morrow.

According to Order, the Joint Stock Companies Amendment Bill was read the second time.

Ordered to be committed to-morrow.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till Thursday, the 15th instant, at 3 o'clock p.m.

Thursday, the 15th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. Elliott absent on leave; all other Members present.

The Hon. Mr. Ball in the chair as Presiding Member.

On the Minutes being read and the question of their being confirmed being put, a debate arose.

The Council divided.

Ayes 7, Noes 4.

So it was Resolved in the affirmative and Ordered accordingly.

The Hon. Mr. Holbrook gave notice of motion.

On the Order of the day being read for the committal of the Compulsory Mining Licence Bill,

The Hon. the Attorney General moved that the said Order do stand as the last Order of the day.

According to Order, the Council went into Committee of the whole on the Joint Stock Companies Bill.

The Presiding Member left the Chair.

The Hon. Mr. Homer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported certain amendments made to the said Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

According to Order, the Council went into Committee of the whole on the Trades Licences Bill.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some further progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the committal of the Compulsory Mining Licence Bill,

Ordered that the said Bill do lapse.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 3 o'clock, p.m., to-morrow, Friday the 16th instant.

Friday, the 16th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. Elliott absent on leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General gave notice of the following Bills:

Ferry Regulation Bill,

Intestate Estates Sales Bill.

According to Order, the Hon. Mr. Holbrook moved the following Resolution, the Hon. Mr. Homer seconding:

That the vote of censure on the Editor of the *British Columbian* be reconsidered for the purpose of its expulsion from the Minutes, and the Editor of the *British Columbian* be brought before the Bar of the House for explanation.

On the question being put a debate arose and the Council divided.

Ayes 4, Noes 7,

So it passed in the negative.

According to Order, the Council resolved itself into a committee of the whole on the Joint Stock Companies Bill.

The Presiding Member left the Chair.

The Hon. Mr. Homer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

On the motion of the Hon. Mr. Walkem,
Ordered that the said Bill be re-committed.

The Presiding Member left the Chair.

The Hon. Mr. Homer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill passed with certain additions.

Ordered to be read the third time on Monday next.

On the Order of the day being read for the committal of the Trades Licences Bill,
Ordered that the committal thereof be deferred till Thursday, the 22nd inst.

Then, on the motion of the Hon. Mr. Franks, the Council adjourned till 3 o'clock on Monday, the 19th instant.

Monday, the 19th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Hon. Messrs. Franks, Elliott, Walkem, Smith, absent on leave; all other Members present.

The minutes of the previous Meeting read and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 12.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Council an Extract of a letter lately received from the Gold Commissioner of the Cariboo District, recommending that a premium be offered for the first Quartz Mill erected on Williams Creek, in the Cariboo District.⁸

⁸ *Ibid.*, pp. iii-iv.

The Officer Administering the Government highly approves of this suggestion, and would urge upon the Legislative Council the propriety of empowering the Government to offer a liberal premium in furtherance of this desirable object.

*Government House,
19th February, 1866.*

On the motion of the Hon. Mr. Ball,

The Council went into a Committee of the whole on the above message.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Thursday next.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

According to Order, the Attorney General brought in the Ferry Regulations Bill.

Ordered that the said Bill be now read the first time.

Read first time accordingly.

Ordered to be read second time on Thursday next.

Also the Intestate Estate Sales Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Thursday next.

Then, on the motion of the Hon. Mr. Holbrook, the Council adjourned till 2 o'clock on Thursday, the 22nd instant.

Thursday, the 22nd day of February, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. Mr. Ball in the Chair as Presiding Member.

All Members present.

Minutes of the previous Meeting read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 13.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Legislative Council a Bill entitled "An Ordinance to apply the sum of Seven hundred and twenty-two thousand one hundred and fourteen dollars and five cents, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year One thousand eight hundred and sixty-six."

*Government House,
22nd February, 1866.*

Ordered that the said Bill be now read the first time.
Read the first time accordingly.
Ordered to be read second time to-morrow.

A further Message from His Honor, as follows:

Message No. 14.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Council a Petition signed by 312 Miners, Merchants, and Traders, in the District of Cariboo, complaining of the delay in litigation between Miners concerning Mining Interests.⁹

The Officer Administering the Government has already had occasion to refer to this subject.

He would suggest that a Select Committee be appointed to report to the Council whether it is expedient to make any changes in the existing laws.

*Government House,
22nd February, 1866.*

On the motion of the Hon. Mr. Crease,

Ordered that a Select Committee, to be named by the Presiding Member, be appointed for the purpose of preparing a Report on the Petition for the amendment of the laws relating to delay in Mining litigation.

The Presiding Member nominated the following Honourable Members to constitute the said Committee:—The Hon. Messrs. Crease, O'Reilly, Elliot, Cornwall, Walkem.

The Hon. Walkem presented a Petition from Merchants and Traders for the abolition of the Road Tolls.

Ordered that the same be received and read.

Read accordingly.

On the motion of the Hon. Mr. Walkem,

Ordered that the said Petition be considered in a Committee of the whole House on Monday next.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Crease, from the Select Committee appointed to draw up a Report on the Petition from Munroe's workmen, handed in the following Report according to Order:

The Select Committee appointed to consider the Petition of sub-contractors and labourers who have worked for Mr. Malcolm Munroe [Malcom Munro], under his road contract, beg to report that they consider the subject matter of the Petition should be left to the discretion of the Executive.

At the same time they recommend that if sufficient work has been done on the road to warrant it, and sufficient money should remain unapplied in the hands of the Government, the question of the payment of the men should be taken into favourable consideration.

Ordered that the Report be received and the Committee discharged.

⁹ *Ibid.*, p. iv.

According to Order, the Council resolved itself into a Committee of the whole to consider His Honor's Message in regard to offering a premium for the erection of a Quartz Mill at Williams Creek.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

Resolved, That His Honor the Administrator be requested to appropriate a sum of not more than \$5,000, unless under special circumstances when the grant may be increased by His Honor, for offering a premium for the erection of a Steam Quartz Crushing Mill in Cariboo, and that the amount of the premium to be given should be proportionate to the capability of the Mill.

On the motion of the Hon. Mr. Ball, the Hon. Mr. Crease seconding,

Ordered that the said Resolution be adopted.

According to Order, the Council went into Committee of the whole on the Trades Licences Bill.

The Presiding Member left Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill completed with certain amendments.

The Hon. Mr. Brew moved that the Standing Orders be suspended in order that the Bill might be re-committed for alteration.

Motion negatived.

On the motion of the Hon. the Treasurer,

Ordered that the Bill be re-committed for the addition of supplemental matter.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that a slight addition having been made the Bill was now complete.

Ordered to be read the third time to-morrow.

On the motion of the Hon. Mr. Walkem,

Ordered that the third reading of the Joint Stock Companies Bill be taken as the next Order of the day.

Bill read third time accordingly,

And Resolved, That the said Bill do pass, and its title be the "Companies' Ordinance, 1866."

On the Order of the day being read for the second reading of the Ferry Regulation Bill,

Ordered that the second reading of the said Bill be postponed till to-morrow.

On the Order of the day being read therefor, the Intestate Estate Sales Bill was read the second time.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight amendments.

Ordered to be read the third time to-morrow.

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till 3 o'clock to-morrow, the 23rd instant.

Friday, the 23rd day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Holbrook, according to Order, asked the Acting Colonial Secretary when the Iron Buoys lately arrived at Victoria, from England, will be laid down at the mouth of the River.

The Hon. Mr. Ball replied.

According to Order, the Hon. Mr. Walkem moved for leave to bring in Williams Creek Bed Rock Flume Company's Bill.

Ordered that leave be granted.

The Hon. Member presented the said Bill accordingly.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Wednesday next.

According to Order, the Bill of Supply was read second time.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill accordingly.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through without amendment.

Ordered to be read the third time on Monday next.

According to Order, the Trades Licences Bill was read a third time,

And it was Resolved that this Bill do pass and that its title be the "Trades Licences Ordinance, 1866."

According to Order, the Ferry Regulations Bill was read the second time.

Ordered that the said Bill be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Smith in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time on Monday next.

On the Order of the day being read therefor,

The Intestate Estate Sales Bill was read the third time, and it was Resolved that this Bill do pass, and that its title be the "Intestate Estate Sales Ordinance, 1866."

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till Monday, the 26th instant, at 3 p.m.

Monday, the 26th day of February, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General gave notice of the Sinking Fund Bill and Pilotage Bill.

According to Order, the Bill of Supply was read the third time,

And it was Resolved, That this Bill do pass and that its title be "An Ordinance to apply the sum of Seven hundred and twenty-two thousand one hundred and fourteen dollars and five cents, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year One thousand eight hundred and sixty-six."

According to Order, the Ferry Regulations Bill was read third time,

And it was Resolved, That this Bill do pass and that its title be the "Ferry Ordinance, 1866."

According to Order, the Council resolved itself into a committee of the whole to consider the Petition for the abolition of the Road Tolls.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Thursday next.

On the motion of the Hon. Mr. Walkem,

Ordered, That the Standing Orders be suspended in order that he might be enabled to place a motion on the Order Book.

The Hon. Member gave notice of motion accordingly.

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till 3 o'clock p.m., on Thursday the 1st March.

Thursday, the 1st day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

At a quarter past 3, the Hon. Mr. Trutch took the Chair as Presiding Member, being the senior Member present in order of precedence, and there not being a quorum present, adjourned the Council till 2 o'clock, p.m., to-morrow, the 2nd instant, without a question first put.

Friday, the 2nd day of March, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Smith presented the Petition of Messrs. Brown and Gillis for compensation for land resumed by Government at Quesnelmouth.

Ordered that the same be read.

Read accordingly.

On the motion of the Hon. Mr. Walkem,

Ordered, That the Council do go into Committee of the whole on the said Petition on Monday next.

According to Order, the Hon. Mr. Walkem asked the Acting Colonial Secretary to furnish an approximate calculation of the number of pounds avoirdupois of Merchandize which have entered this port during the past year.

The Hon. Mr. Ball replied.

On the Order of the day being read for the second reading of the Bed Rock Flume Bill,

The Hon. Mr. Walkem moved that the said Bill be read second time on Tuesday next.

Ordered accordingly.

According to Order, the Hon. the Attorney General brought in the Pilotage Bill.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Tuesday next.

and the Sinking Fund Bill.

Ordered that the said Bill be now read the first time.

Read the first time accordingly.

Ordered to be read second time on Tuesday next.

According to Order, the Council went into Committee of the whole to consider the Petition for the abolition of the Road Tolls.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Tuesday next.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 1 o'clock on Tuesday, the 6th instant.

Tuesday, the 6th day of March, 1866.

The Council met at 1 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

Minutes of the previous Meeting read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 15.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Legislative Council a Petition against the present system of Road Tolls and Tonnage Dues imposed on supplies for the Upper Country.¹⁰

The Officer Administering the Government is led to believe that under the existing circumstances of the Colony this Petition would not have been presented at the present time but for the great uncertainty which prevails in regard to facility of access to the Upper Columbia Mines by other routes. If, as the Petitioners state, Merchandize taking the route by way of Fraser River is unduly burdened, it becomes the duty of the Government to consider the prayer of the Petition.

There can be no doubt that constant alterations in our fiscal arrangements must tend to weaken confidence in the Colony, and interfere with trade. The Officer Administering the Government is therefore most unwilling to make any important alterations until he is in possession of further information as to the extent and resources of the new District.

Representations have been made that goods passing over one hundred and ten miles of the main waggon road should not, in justice, pay Tolls equal to the goods passing over the entire length of road. Should the Council be of opinion that it is

¹⁰ *Ibid.*, p. iv.

absolutely necessary for some alteration to be made to enable Merchants of these Colonies to enter fairly into competition for the trade of the Columbia Mines, the Officer Administering the Government would suggest for the consideration of the Council, whether as a temporary expedient it may not be advisable to remove the Toll Gates from Lillooet and Lytton and establish one Gate at Clinton instead, thus relieving the Columbia trade and reducing the cost of collection. He would further suggest that the present rate of Tonnage Dues be imposed on all supplies arriving at the Ports of Entry.

*Government House,
3rd March, 1866.*

On the motion of the Hon. Mr. Ball,

Ordered that the Message be considered presently in Committee of the whole.

A further Message from His Honor, as follows:

Message No. 16.

ARTHUR N. BIRCH.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to apply the sum of Seven hundred and twenty-two thousand one hundred and fourteen Dollars and five Cents, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the year One thousand eight hundred and sixty-six."

*Government House,
5th March, 1866.*

A further Message from His Honor, read as follows:

Message No. 17.

ARTHUR N. BIRCH.

The Officer Administering the Government recommends the following amendments to be made in the Bill entitled "An Ordinance to amend the Law relating to Joint Stock Companies:"

In clause 6, line 4, the word "and" be omitted.

In line 5, of the same clause, the word "him" be omitted, and the following words be inserted in its place: "the said Supreme Court of Civil Justice."

*Government House,
5th March, 1866.*

On the motion of the Hon. Mr. Ball,

Ordered that the Council do go into Committee of the whole presently on the said Bill.

On the Order of the day being read for the second reading of the Bed Rock Flume Bill, a debate arose.

On the question being put the Council divided.

Ayes 13, Noes 1.

So it was Resolved in the affirmative, and Ordered accordingly.

Bill read second time.

Ordered to be committed to-morrow.

According to Order, the Pilotage Bill was read second time,

And it was Ordered that the Bill be committed forthwith.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Cornwall in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read the third time to-morrow.

According to Order, the Sinking Fund Bill was read the second time.

Ordered that the said Bill be committed to-morrow.

The Council adjourned during pleasure.

On the Council resuming its sitting, the Council, according to Order, resolved itself into a Committee of the whole for the consideration of His Honor's Message and the Petitions in reference to the abolition of the Road Tolls.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the motion of the Hon. Mr. Ball,

Ordered that the consideration of the alterations to the Companies' Ordinance suggested in His Honor's Message No. 17, be placed on the Order of the day for to-morrow.

Then, on the motion of the Hon. Mr. Smith, the Council adjourned till 2 o'clock p.m. to-morrow, the 7th instant.

Wednesday, the 7th day of March, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 18.

ARTHUR N. BIRCH.

The Officer Administering the Government recommends to the Legislative Council, that a clause suspending the operation of the Ordinance authorizing the sale of the Real Estate of Intestates be added to the Bill.

The Officer Administering the Government considers that in a matter effecting the descent of Real Property, it is advisable to consult the Imperial Government before so important a change comes into operation.

*Government House,
7th March, 1866.*

On the motion of the Hon Mr. Ball,

Ordered that the consideration of the above Message do form the first Order of the Day.

The Hon. Mr. Walkem rose to apologize for certain expressions which fell from him yesterday in the debate on the abolition of the Road Tolls.

The Hon. Mr. Smith gave notice of motion.

According to Order, the Council went into Committee of the whole to consider the amendments proposed by His Honor to the Intestate Estate Sales Bill.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

Resolved, That the Officer Administering the Government be acquainted that the Council has agreed to the amendments made by His Honor to the Bill entitled "An Ordinance authorizing the Sale of the Real Estate of Intestates."

Ordered that the Report be adopted.

According to Order, the Council went into a Committee of the whole on the Bed Rock Flume Bill.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time on Friday next.

On the motion of the Hon. Mr. Ball,

Ordered, That the consideration of the amendment proposed by His Honor to the Companies Ordinance be taken as the next Order of the day.

The Council resolved itself into a Committee of the whole accordingly

The Presiding Member left Chair.

The Hon. Mr. Homer in Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

Resolved, That the Officer Administering the Government be acquainted that the Council has agreed to the amendment made by His Honor to the Bill entitled "The Companies Ordinance, 1866."

Ordered that the Report of the Committee be adopted.

According to Order, the Pilot Bill was read the third time,

And it was Resolved that this Bill do pass and its title be the "Pilotage Ordinance, 1866."

According to Order, the Council went into Committee of the whole on the Sinking Fund Bill.

The Presiding Member left the Chair.

The Hon. Mr. Elliott in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read the third time on Friday next.

According to Order, the Council resolved itself into a Committee of the whole for the further consideration of the Petition for the abolition of the Road Tolls.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the following Resolution for the adoption of the Council.

On the question being put the Council divided.

Ayes 7, Noes 6,

The names having been taken down by the Clerk as follows:

Ayes.

The Hon. Messrs. Franks, Trutch, O'Reilly, Elliott, Haynes, Cornwall, Walkem.	
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Noes.

The Hon. Messrs. Crease, Hamley, Homer, Holbrook, Smith, Brew.

So it was Resolved as follows:

That the Road Tolls now collected at Lytton and Lillooet be abolished, and also the existing Tonnage Dues, and that the difference caused thereby be made good by an equivalent in the form of Tonnage Dues on Imports at the Ports of Entry, and at the Southern Boundary.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 3 o'clock p.m. on Friday next, the 9th instant.

Friday, the 9th day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The minutes of the previous Meeting read and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

ARTHUR N. BIRCH.

Message No. 19.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to amend the Law relating to Joint Stock Companies."

*Government House,
8th March, 1866.*

A further Message from His Honor read as follows:

Message No. 20.

ARTHUR N. BIRCH.

The Officer Administering the Government recommends for the consideration of the Legislative Council that the following amendments be made in the Bill entitled "An Ordinance to consolidate the laws relating to Licences:"

That Clause III. be altered to allow fractional portions of any month, quarter, half-year, or year, to be paid for proportionately.

In Clause VI., line 1, the word "Trades" be omitted.

In Clause (c) of Schedule, line 3, after the word "wholesale," add "that is to say in quantities of not less than two gallons."

In Clause (d) of Schedule, line 2, after the word "profit" the figures "35" be struck out, and "30" substituted.

In line 4 of the same Clause, after the word "additional," the figures "20" be struck out, and "10" be substituted.

In Clause (e) of Schedule, in line 3, after the word "Trader," "\$15" be substituted for "\$20."

In line 4 of the same Clause, the word "and" be omitted; also, after the word "Trader," "\$5" be substituted for "\$7.50."

In Clause (e), to add the words "Under the last mentioned licence, the word 'Trader' shall include Master Mechanics, Manufacturers, and Artizans employing one or more Journeymen, and not already paying a licence under this Ordinance."

To omit Clause (f) in Schedule.

Clause (l) in Schedule to read "By every person following any of the occupations of Conveyancer, Surveyor, Land Agent, or Scrivener."

*Government House,
9th March, 1866.*

On the motion of the Hon. Mr. Ball,

Ordered, That the amendments proposed by His Honor to the above Bill be considered in Committee of the whole presently.

A further Message from His Honor, read as follows:

Message No. 21.

ARTHUR N. BIRCH.

In reference to the Resolution of the 8th March, the Officer Administering the Government requests a conference with the Honourable the Legislative Council.

*Government House,
9th March, 1866.*

On the motion of the Hon. Mr. Ball,

That the Council do adjourn during pleasure, in order to enable the Council to confer with his Honor as requested,

A division took place.

Ayes 11, Noes 2.

So it was Resolved in the affirmative, and Ordered accordingly.

The Council then adjourned during pleasure.

On the Council resuming its sitting, there not being a quorum present, the Presiding Member adjourned the Council till Monday, the 12th instant, at 3 p.m., without a question first put.

Monday, the 12th day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. Walkem absent on leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Elliott gave notice of motion.

According to Order, the Council resolved itself into a Committee of the whole to consider the alterations proposed by His Honor to the Licences Bill.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

Resolved, That the Officer Administering the Government be acquainted that the Council has agreed to the amendments made by His Honor to the Bill entitled the "Licences Ordinance, 1866."

On the question being put it was carried unanimously and Ordered accordingly.

According to Order, the Hon. Mr. Smith asked leave to bring in the Homestead Bill.

Ordered that leave be granted.

The Hon. Member therefore presented the said Bill, and moved that the same be now read the first time.

Read first time accordingly.

On the motion of the Hon. Member that the Bill be read second time on Friday next,

The Council divided.

Ayes 9, Noes 1,

So it was Resolved in the affirmative and Ordered accordingly.

On the Order of the day being read for the third reading of the Bed Rock Flume Bill,

Ordered that the third reading thereof be deferred till Friday next.

On the Order of the day being read for the third reading of the Sinking Fund Bill.

Ordered that the said Bill be re-committed forthwith for the addition of supplemental matter.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Elliott in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read third time at once.

Bill read third time accordingly,

And Resolved, That this Bill do pass and that its title be the "Sinking Fund Ordinance, 1866."

On the Order of the day being read for the consideration in Committee of the whole of the Petition of Messrs. Brown and Gillis.

The Hon. Attorney General moved that it be considered this day six months.

The Hon. Mr. Smith moved in amendment that it be considered on Monday next.

On the amendment being put the Council divided.

Ayes 10, Noes 2,

So it was Resolved in the affirmative, and Ordered accordingly.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till Friday next, at 3 o'clock p.m.

Friday, the 16th day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. O'Reilly absent with leave; Hon. Mr. Homer absent without leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 22.

ARTHUR N. BIRCH.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "No 6. An Ordinance regulating the Sinking Fund of Public Loans."

*Government House,
16th March, 1866.*

On the motion of the Hon. Mr. Cornwall,

Ordered, That strangers do withdraw, including the Press.

According to Order, the Hon. Mr. Elliott asked leave to bring in Small Debts Act Amendment Bill.

Ordered that leave be granted, and that the said Bill be read the first time on Monday next.

On the Order of the day being read for the second reading of the Homestead Bill,

The Hon. Mr. Crease moved, the Hon. Mr. Trutch seconding,

That the Bill be read the second time this day three months.

On the question being put the Council divided.

Ayes 8, Noes 1,

So it was Resolved in the affirmative and Ordered accordingly.

On the Order of the day being read for the third reading of the Bed Rock Flume Bill,

Ordered that the said Bill be re-committed to allow the addition of supplemental matter.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered that the said Bill be now read the third time.

Read the third time accordingly, and Resolved that this Bill do pass, and that its title be the "Williams Creek Flume Ordinance, 1866."

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 23.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Legislative Council, copies of Despatches from the Secretary of State, in reference to the Paris Exhibition of 1867.

It is the intention of the Officer Administering the Government to appoint a Committee without delay, and he would suggest that the Council should authorize the expenditure of a certain amount from the Public Funds to enable the Committee to procure and forward as complete a collection as possible of the products and resources of the Colony.

Government House.

16th March, 1866.

Ordered that the same be considered in Committee of the whole House on Monday next.

Then, on the motion of the Hon. Mr. Elliott, the Council adjourned till Monday, the 19th instant, at 3 o'clock p.m.

Monday, the 19th day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Mr. O'Reilly absent with leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A letter from the Hon. Mr. Homer, apologizing for his absence at the last Meeting was read aloud by the Clerk.

Ordered that the Hon. Member's apology be accepted.

The Hon. Mr. Crease gave notice of motion.

On the Order of the day being read for the first reading of the Small Debts Act Amendment Bill,

The Hon. the Attorney General moved, the Hon. Mr. Hamley seconding,

That this Bill be read the first time this day six months.

Before any question was put, the Hon. Mr. Cornwall moved that strangers do withdraw, including the Press.

Strangers having withdrawn accordingly,

The Hon. Mr. Holbrook moved, the Hon. Mr. Homer seconding,
That strangers be re-admitted, including the Press.

A debate here arose.

On a question of order having arisen, the Presiding Member decided that the Hon. Mr. Holbrook's motion could not be put until the Hon. Mr. Cornwall had explained to the House his reasons for moving that Strangers withdraw.

The Hon. Mr. Cornwall explained his reasons to the Council accordingly.
The Hon. Mr. Holbrook's motion having been put and carried, it was
Ordered that Strangers be re-admitted.

The amendment of the Hon. the Attorney General was then put to the Council.
The Council divided.

Ayes 4, Noes 7.

So the amendment was lost, and it was Ordered that the Small Debts Act Amendment Bill be read first time.

Read first time accordingly.

Ordered to be read second time on Wednesday next.

On the Order of the day being read for the Committee of the whole to consider Brown and Gillis' Petition,

The Hon. the Attorney General moved, the Hon. the Chief Commissioner of Lands and Works seconding,

That this Petition be considered this day six months.

On the question being put a debate arose and the Council divided.

Ayes 7, Noes 5,

So it was Resolved in the affirmative and Ordered accordingly.

On the Order of the day being read for the Committee to consider His Honor's Message on the Paris Exhibition of 1867,

The Hon. Mr. Brew moved that it be considered at the next meeting of the Council.

Ordered accordingly.

Then, on the motion of the Hon. Mr. Franks, the Council adjourned till Wednesday, the 21st instant, at 2 o'clock, p.m.

Wednesday, the 21st day of March, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. Mr. Smith absent without leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 24.

ARTHUR N. BIRCH.

The Officer Administering the Government has received the Resolution of the Legislative Council suggesting the abolition of the Toll Gates at Lillooet and Lytton, and the imposition of an equivalent in Tonnage Dues.

The numerous representations made to the Officer Administering the Government since the passing of the Resolution, by those interested in the Lumber trade, in the prosecution of the Coal discoveries on the Coast, and in other enterprises requiring the investment of a large amount of capital before any return can be expected, has convinced him that to impose Tonnage Dues equal to six dollars a ton would act with undue hardship on those undertakings in their present early stage, and possibly prevent the successful development of these sources of wealth.

The Officer Administering the Government is anxious to relieve the burdens of the Upper Country, and equalize taxation as much as circumstances will permit, and with this object the abolition of the Gold Export Tax and the increase in the Trades Licences was proposed.

Under the agreement entered into with Mr. G. B. Wright, the Government in any exercise of the power of reducing or varying the rate of Tolls prescribed by the Ordinance "shall not reduce or vary the same so as to lessen the gross proceeds of such Tolls for the time being."

While the Officer Administering the Government cannot, at the present time, comply with the Resolution of the 8th instant, he is desirous that the Merchants of this Colony shall have every advantage it is practicable to afford in securing the trade of the New Mining District, he therefore proposes to instruct the Chief Commissioner of Lands and Works to enter into immediate negotiations with Mr. G. B. Wright for the surrender of his right to collect Tolls at Lillooet, and when a satisfactory arrangement has been arrived at the Gates at Lillooet and Lytton will be abolished, and one Gate established at Clinton, in view of further reduction, when the financial state of the Colony will admit.

*Government House,
21st March, 1866.*

A further Message from His Honor, read as follows:

Message No. 25.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Legislative Council, an additional Supplementary Estimate for 1864. The necessity for these Estimates has been occasioned by the Supplementary Estimates for that year having been passed previous to the closing of the Treasury Books.

*Government House,
21st March, 1866.*

A further Message from His Honor, as follows:

Message No. 26.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Legislative Council, the Supplementary Estimates for the year 1865.

The Acting Colonial Secretary and other Official Members of the Council have been instructed to furnish the fullest possible information on the several items.

*Government House,
21st March, 1866.*

On the motion of the Hon. Mr. Ball,

Ordered that the Council do presently resolve itself into a Committee of Supply to consider the Supplementary Estimates sent down by His Honor.

A letter from the Hon. Mr. Smith, apologizing to the Council for his unavoidable absence, was read aloud by the Clerk.

Ordered that the Hon. Member's apology be accepted.

The Council then went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the approval of the Council:

Resolved, That the Council recommend that the following Supplementary Supplies be voted for the service of the years 1864-65:

1864.

ESTABLISHMENTS:		£	s.	d.
Post Office		19	11	11
Gold Commissioners and Stipendiary Magistrates..		107	1	3

EXCLUSIVE OF ESTABLISHMENTS:

Charitable Allowances	11	2	2
Conveyance of Mails	150	5	2
Works and Buildings	164	8	11
Drawbacks and Refunds of Duties	10	17	1

1865.

ESTABLISHMENTS.

The Governor	43	2	8
Colonial Secretary	450	0	0
Chief Commissioner of Lands and Works	145	0	0
Post Office	235	0	0
Judicial	47	0	0
Police and Gaols	42	3	4
Gold Commissioners and Stipendiary Magistrates..	1306	12	9

EXCLUSIVE OF ESTABLISHMENTS.

Pensions	150	0	0
Revenue Services	100	0	0
Administration of Justice	425	0	0
Charitable Allowances	540	0	0
Police and Gaols	401	0	0
Rent	10	6	1
Transport	626	0	0
Conveyance of Mails	7496	3	1
Works and Buildings	3486	0	0
Roads, Streets, and Bridges	15420	17	2
Miscellaneous	766	0	0
Interest	156	0	0
Deposits	73	17	5
Colonial Pay and Allowances	22	2	2
Redemption of Treasury Notes	8	0	0

Ordered that the Report of the Committee of Supply be adopted.

The Hon. the Attorney General gave notice of the Cattle Duty Bill.

The Hon. Mr. Walkem gave notice of motion.

The Hon. the Attorney General gave notice of motion.

According to Order, the Attorney General brought in the Gold Export Repeal Bill.

On the question of the first reading of the said Bill being put the Council divided.

Ayes 9, Noes 2.

So it was Resolved in the affirmative, and the Bill was read first time.

Ordered to be read the second time on Friday next.

According to Order, the Council resolved itself into a Committee of the whole to consider His Honor's Message No. 23, on the subject of the representation of British Columbia at the Paris Exhibition of 1867.

The Presiding Member left the Chair.

The Hon. Mr. Elliott in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

Resolved, That the sum of \$5,000 be placed at the disposal of the Executive, exclusive of any amount which may be expended in the purchase of gold specimens for exhibition, to enable British Columbia to be represented at the Paris Exhibition of 1867.

On the motion of the Hon. Mr. Brew, the Hon. Mr. Trutch seconding,

That the Report of the Committee be adopted.

The Council divided.

Ayes 7, Noes 4,

So it was Resolved in the affirmative and Ordered accordingly.

On the Order of the day being read for the second reading of the County Court Amendment Bill,

The Hon. Mr. Elliott moved that the said Bill be read second time on Friday next.

The Hon. the Attorney General moved in amendment that it be read second time on Monday next.

On the amendment being put the Council divided.

Ayes 3, Noes 7,

So the amendment was lost.

On Mr. Elliott's motion being put; the Council again divided.

Ayes 7, Noes 3,

So it was Resolved in the affirmative, and Ordered that the said Bill be read second time on Friday next.

Then, on the motion of the Hon. Mr. Hamley, the Council adjourned till 3 o'clock p.m., Friday next, the 23rd instant.

Friday, the 23rd day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. Messrs. Hamley and Smith absent on leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

ARTHUR N. BIRCH.

Message No. 27.

The Officer Administering the Governments acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Ordinances:

"An Ordinance to consolidate the Laws relating to Licences;"

"An Ordinance authorizing the sale of the Real Estate of Intestates;"

"An Ordinance for the regulation of Ferries and Bridges."

*Government House,
23rd March, 1866.*

A further Message from His Honor read as follows:

ARTHUR N. BIRCH.

Message No. 28.

The Officer Administering the Government lays before the Legislative Council a Bill entitled

"An Ordinance granting a Supplemental Supply of Thirty-two thousand four hundred and fifty-six pounds, seven shillings, and five pence, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the years One thousand eight hundred and sixty-four and five respectively."

*Government House,
23rd March, 1866.*

Ordered that the Supplemental Supply Bill be read the first time at once.
Read the first time accordingly.

Ordered that the said Bill be read second time and committed forthwith.
Bill read the second time accordingly.

The Council resolved itself into a Committee of the whole on the said Bill.
The Presiding Member left the Chair.

The Hon. Mr. Holbrook in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through without amendment.

Ordered to be read third time at the next sitting of the Council.

According to Order, the Hon. the Attorney General brought in the Cattle Import Bill.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Monday next.

According to Order, the Hon. Mr. Walkem asked leave to bring in Currency Adjustment Bill.

Ordered that leave be granted.

The Hon. Mr. Crease moved the following Resolution, the Hon. Mr. Franks seconding:

That the Government be requested to apply a sum not exceeding \$ [blank] towards the provision of direct Steam communication between San Francisco and New Westminster.

The Hon. Mr. Homer moved in amendment, Hon. Mr. Holbrook seconding:

That the Government be requested to appropriate such a sum as they may deem necessary for the purpose of Steam communication between New Westminster and other Ports.

The Hon. Mr. Trutch moved in amendment, Hon. Mr. Elliott seconding:

That the Government be requested to appropriate such a sum as they may deem necessary for the purpose of Steam communication between this Colony and San Francisco, and other Ports.

On the Hon. Mr. Trutch's amendment being put the Council divided.

Ayes 7, Noes 5,

So it was Resolved in the affirmative, and Ordered accordingly.

On the Order of the day being read for the second reading of the Gold Export Repeal Bill,

The Council divided.

Ayes 7, Noes 1.

So it passed in the affirmative, and it was Ordered that the said Bill be read second time at once.

Read second time accordingly.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole on the said Bill accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Walkem in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through without alteration.

Ordered to be read the third time on Monday next.

On the Order of the day being read for the second reading of the Country Court Amendment Bill, a debate arose.

The Hon. Mr. Homer moved an adjournment till Monday.

On the question being put the Council divided.

Ayes 6, Noes 6.

The Presiding Member gave a casting vote with the Noes, so the motion for adjournment was lost.

The Hon. the Attorney General moved, the Hon. Mr. Holbrook seconding,
That this Bill be read the second time this day six months.

After a lengthened debate on the question, the Hon. Mr. Walkem moved an adjournment till Monday.

The Hon. Mr. Trutch moved for Saturday in amendment.

On the amendment being put the Council divided.

Ayes 7, Noes 3,

So it was Resolved in the affirmative.

The Council accordingly adjourned till to-morrow, Saturday, the 24th instant, at 3 o'clock, p.m.

Saturday, the 24th day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General gave notice of the Pre-emption Amendment Bill.

According to Order, the Supply Bill was read the third time,

And it was Resolved that this Bill do pass and its title be "An Ordinance granting a Supplemental Supply of Thirty-two thousand four hundred and fifty-six pounds, seven shillings, and five pence, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the years One thousand eight hundred and sixty-four and five respectively."

According to Order, the adjourned debate on the second reading of the County Court Amendment Bill was resumed.

During the discussion, the Hon. the Treasurer, having been called to order by the Presiding Member, questioned the decision and appealed to the Council.

On the question being put whether it is the pleasure of the Council to support the Chair, the Council divided.

Ayes 12, Noes 1.

So it was Resolved in the affirmative and Ordered accordingly.

On the Hon. the Attorney General's motion "That this Bill be read the second time this day six months" being put, the Council divided.

Ayes 5, Noes 8.

So the amendment was lost.

On the original question being put, the Council again divided.

Ayes 8, Noes 5,

The Clerk having been requested to do so, the names were taken down as follows:

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Franks,	The Hon. Messrs. Crease,
Trutch,	Hamley,
O'Reilly,	Homer,
Brew,	Holbrook,
Elliott,	Walkem.
Haynes,	
Cornwall,	
Smith.	

So the second reading of the said Bill being ordered, it was read the second time accordingly.

Ordered to be committed on Monday next.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 1 o'clock on Monday, the 26th instant.

Monday, the 26th day of March, 1866.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Walkem absent without leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A letter from the Hon. Mr. Walkem, apologizing for his unavoidable absence from the Council was read aloud by the Clerk.

Ordered that the Hon. Member's apology be accepted.

The Hon. Mr. Holbrook gave notice of motion.

On the Order of the day being read for the second reading of the Cattle Import Bill, the Council divided.

Ayes 7, Noes 5.

So it was Resolved in the affirmative and the Bill was read the second time accordingly.

Ordered to be committed to-morrow.

According to Order, the Gold Export Repeal Bill was read the third time,

And it was Resolved that this Bill do pass and that its title be the "Gold Export Repeal Ordinance, 1866."

On the Order of the day being read for the first reading of the Pre-emption Amendment Bill, the Council divided.

Ayes 11, Noes 1.

So it was Resolved in the affirmative, and the Bill was read the first time.

Ordered to be read the second time to-morrow.

According to Order, the Council went into Committee of the whole on the County Court Amendment Bill.

The Presiding Member left the Chair.

The Hon. Mr. Haynes in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read the third time to-morrow.

Then, on the motion of the Hon. Mr. Cornwall, the Council adjourned til 3 o'clock p.m., Tuesday next, the 27th instant.

Tuesday, the 27th day of March, 1866.

The Council met at 3 o'clock, pursuant to adjournment.

All Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The minutes of the previous Meeting read and confirmed.

According to Order, the Hon. Mr. Holbrook moved the following Resolution, the Hon. Mr. Homer seconding:

That the Government be requested to remove the Tonnage Dues from Home Grown Produce and Manufactures.

The Hon. Mr. Smith moved in amendment, the Hon. Mr. Cornwall seconding:

That the Tonnage Dues be abolished on all goods, foreign or domestic, leaving New Westminster for the Upper Country.

On the amendment being put the Council divided.

Ayes 3, Noes 10.

The Clerk having been requested to do so, the names were taken down as follows:

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Brew,	The Hon. Messrs. Crease,
Smith,	Franks,
Cornwall.	Trutch,
	Hamley,
	O'Reilly,
	Haynes,
	Elliott,
	Holbrook,
	Homer,
	Walkem.

So the amendment was lost.

On the original question being put the Council again divided.

Ayes 6, Noes 7.

So it passed in the negative, and the motion was lost.

According to Order, the Council resolved itself into a Committee of the whole on the Cattle Import Bill.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill thrown out in Committee.

Ordered accordingly.

According to Order, the Pre-emption Amendment Bill was read the second time.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight alterations.

Ordered to be read third time forthwith.

Read the third time accordingly, and Resolved that this Bill do pass, and that its title be the "Pre-emption Ordinance, 1866."

According to Order, the County Court Amendment Bill was read the third time,

And it was Resolved, That the said Bill do pass, and its title be the "County Court Ordinance, 1866."

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 2 o'clock on Wednesday, the 4th April.

Wednesday, the 4th day of April, 1866.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. Messrs. Haynes and Franks absent with leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read over and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

ARTHUR N. BIRCH.

Message No. 29.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Ordinances:

"No. 10. An Ordinance conferring certain privileges on the Williams Creek Bed Rock Flume Company."

"No. 11. An Ordinance granting a Supplemental Supply of Thirty-two thousand four hundred and fifty-six pounds, seven shillings, and five pence, out of the General Revenue of the Colony of British Columbia and its Dependencies, to the service of the years 1864 and 1865 respectively."

"No. 12. An Ordinance to Repeal the Ordinance for imposing a Duty on Gold."

*Government House,
4th April, 1866.*

A further Message from His Honor read as follows:

Message No. 30.

ARTHUR N. BIRCH.

The Officer Administering the Government recommends the following alterations in the Bill entitled "An Ordinance amending the procedure of the County Courts of the Colony of British Columbia:"

In Section II., line 2, after "61," insert "14° and 15° Victoria, Chapter 52."

In Section III., erase the words between "shall" and "\$500," and in their place insert "be any sum not exceeding."

For Section VII., substitute the following:

"If either party, in a cause of the amount to which jurisdiction is given to the County Court Judges under this Ordinance, shall be dissatisfied with the determination or direction of any such Judge in point of law, or upon the admission or rejection of any evidence, such party may appeal from the same to the Supreme Court of Civil Justice of British Columbia, and it shall be lawful for any Judge of the Supreme Court of Civil Justice of British Columbia to hear and determine all such appeals.

It shall be lawful for the Judge of the County Court, in the event of an appeal, to make such orders as to security for debt or costs as he may see fit."

For Section IX., substitute the following:

"It shall be lawful for any County Court Judge of British Columbia to grant a warrant for the arrest of an absconding debtor, in accordance with the provisions of the 14° and 15° Victoria, Chapter 52. Provided, always, that every creditor who shall cause such warrant to be issued shall, within 42 days of the date of such warrant, cause a writ of *habere corpus* to be issued out of the Supreme Court of Civil Justice of British Columbia, and served on such debtor."

In view of the strong objections raised by the law adviser of the Crown against the enactment, the Officer Administering the Government further recommends the introduction of a clause suspending the operation of the Bill until Her Majesty's pleasure is known.

*Government House,
4th April, 1866.*

Ordered that the Council do go into Committee of the whole at once to consider the alterations proposed by His Honor to the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Smith in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

Resolved, That the Officer Administering the Government be acquainted that the Council has agreed to the amendments made by His Honor to the County Court Amendment Bill.

Ordered that the Report of the Committee be adopted.

A further Message from His Honor, read as followeth:

Message No. 31.

ARTHUR N. BIRCH.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to an Ordinance entitled

"No. 13. An Ordinance further to define the law regulating the acquisition of Land in British Columbia."

*Government House,
4th March, 1866.*

A further Message from His Honor, as follows:

Message No. 32.

ARTHUR N. BIRCH.

To allow sufficient time for the due publication of the Rules and Regulations to be made and adopted by the Governor in Council, under the provisions of the Bill entitled "An Ordinance for the Regulation of Pilotage," the Officer Administering the Government recommends the following alterations:

In Clause I., line 3, erase the words "are hereby repealed," and in their place insert the following: "shall be and be deemed to have been repealed as and from the 1st day of July now next ensuing."

Clause II. shall read "From and after the 1st day of June now next ensuing it shall be lawful," &c.

Clause III, line 2, erase the word "hereafter," and in place thereof insert the following: "after the 1st June now next ensuing."

*Government House,
4th April, 1866.*

Ordered that the Council do go into Committee of the whole at once to consider the alterations proposed by His Honor to the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Homer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

Resolved, That the Officer Administering the Government be acquainted that the Council has agreed to the alterations proposed by His Honor to the Pilotage Bill.

Ordered that the Report be adopted.

The Hon. the Attorney General gave notice of motion.

According to Order, the Currency Adjustment Bill was read first time.

Ordered to be read second time at once and committed.

Read second time accordingly.

The Council resolved itself into a Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Homer in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight amendments.

Ordered to be read the third time to-morrow.

A further Message from His Honor, which was read as follows:

Message No. 33.

ARTHUR N. BIRCH.

The Officer Administering the Government lays before the Legislative Council for their consideration, a Bill to define the jurisdiction of County Courts, under the Small Debts Act, 1859.

*Government House,
4th April, 1866.*

Ordered that the said Bill be now read the first time.

Read first time accordingly.

Ordered to be read second time to-morrow.

The Hon. the Presiding Member acquainted the Council that it was His Honor's intention to come down to prorogue the Council to-morrow, the 5th instant.

Then, on the motion of the above Hon. Member, the Council adjourned till to-morrow, at 1, p.m.

Thursday, the 5th day of April, 1866.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Messrs. Franks, Brew, and Haynes, absent on leave; all other Members present.

The Hon. Mr. Ball in the Chair as Presiding Member.

The Minutes of the previous Meeting were read and confirmed.

A Message from the Officer Administering the Government, which being read is as follows:

Message No. 34.

ARTHUR N. BIRCH.

The Officer Administering the Government acquaints the Legislative Council that he has assented, in Her Majesty's name, to the following Bills:

"No. 14. An Ordinance amending the procedure of the County Courts of the Colony of British Columbia;"

"No. 15. An Ordinance for the regulation of Pilotage."

*Government House,
5th April, 1866.*

The Hon. Mr. Crease, from the Select Committee appointed to enquire into the Petition from the Miners of Cariboo, handed in a Report, which was read as follows:

Your Committee appointed to consider the Petition of numerous Miners, Merchants, and Traders in Cariboo, beg to report that, in view of the great injury accruing to all mining interests by prolonged and complicated litigation, they have given the present Petition mature consideration, without, however, being able to advise any alteration in the existing law.

In the present state of the Colony the Appeal Courts can only sit for limited periods, and at limited intervals, but as population and revenue increase the facilities for reviewing the decisions of the inferior Courts will be proportionately enlarged.

Your Committee are of opinion that the relief desired is rather to be found in this direction than in the further extension of the existing powers of the local Mining Courts.

Your Committee are impressed with the conviction that however desirable finality in law proceedings may be, a limitation or suppression of the existing

power of appeal from Gold Commissioner's decisions will be productive of far more serious injury to the mining community, and consequently to the public interest, than the evil which the petitioners seek to cure.

The recent alterations in the law and practice regulating suits in Chancery, and the facilities afforded by the legislation of the present Session to companies in the regulation of their affairs and settlement of disputes, in the opinion of your Committee, offer additional and, it is hoped, sufficient security for the speedy and satisfactory administration of justice, without intrenching upon what the miner may fairly deem his constitutional safeguard against injustice or oppression—the unrestricted right to appeal.

Ordered that the Report be adopted and the Committee discharged.

According to Order, the Currency Adjustment Bill was read third time,

And it was Resolved that this Bill do pass, and that its title be “The Currency Adjustment Ordinance, 1866.”

According to Order, the County Court Jurisdiction Bill was read a second time, and

Ordered to be committed at once.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with amendments.

The Council being unanimous on the question of the third reading, the Bill was read the third time,

And Resolved, That this Bill do pass and that its title be the “County Court Jurisdiction Ordinance, 1866.”

The Council then adjourned during pleasure.

On the Council resuming its sitting, His Honor A. N. Birch, the Officer Administering the Government, entered the Council Chamber, attended by his Private Secretary, and, being seated in the President's Chair, notified his assent, in Her Majesty's name, to the following Bills:

“An Ordinance respecting the conversion of Sterling Money into Decimal Currency in certain cases;”

“An Ordinance to define the jurisdiction of the County Courts, under the Small Debts Act, 1859.”

His Honor then made the following Speech proroguing the Council:

Honourable Gentlemen of the Legislative Council:

The time has arrived when I am able to release you from further attendance on your Legislative duties.

I have assented, in Her Majesty's name, to the seventeen Ordinances which have been passed. Circumstances have prevented this Session from being as fertile in Acts relating to Public Affairs as previous Sessions. I have considered it advisable to defer bringing forward several measures it was my intention to introduce, preferring rather to allow matters, not of pressing importance, to remain in abeyance until the

Imperial Government had arrived at a decision as to the future relations of British Columbia and Vancouver Island, a decision which must so materially affect our legislation.

In regard to your Resolution on the subject of the Postal Service for the Interior, I agree with you that a more frequent communication with our Northern Mines would be of advantage to the Colony, if the amount of subsidy named in the tenders placed before you could have been reduced, and with this object in view fresh tenders were called for and further negotiations entered into with the former contractors, but without the desired result. A contract has therefore been made for a weekly service to Cariboo and the intermediate Districts, as the present population of the Colony does not justify the very large additional subsidy required for the increased service. The Telegraph, now in working order to Quesnelmouth, will to a great extent supply the want of more frequent Postal communication, and it will always be in the power of the Government to make further arrangements as the requirements of the public demand.

Your Resolution in reference to the Ocean Mail Service, shall receive the careful consideration of the Government. I concur with you in the advantage of continuing direct communication with San Francisco. The present contract with the California Steam Navigation Company remains in force until July. Further arrangements will then be made; and it is to be hoped that the sister Colony will consider it advantageous for both Colonies to unite in subsidising one line of steamers to perform the service required in the interests of each Colony.

You have adopted a Resolution in Committee of Supply, recommending additions and increases to be made in the Estimates for the erection of a Court House at Yale, a Jail at Lillooet, and for further expenditure on the Yale-Clinton Road. I am aware from personal observation that the buildings referred to are much required. I am also of opinion, that further expenditure on road repairs, beyond the amount set down in the Estimates, could be incurred with advantage to the public. I shall take your recommendations as authority to apply the amount named in the manner specified, should the Revenue justify this further expenditure.

The sum you have placed at the disposal of the Executive to enable British Columbia to be represented at the Paris Exhibition, I gladly accept, considering it of importance that every opportunity should be taken to advertise the numerous resources of this young Colony, and I shall do my utmost to assist the Committee in procuring a complete collection.

The Petition from the labourers employed in constructing the Waggon Road from Quesnelmouth to Richfield, forwarded in your Resolution of the 25th February, shall receive my careful attention. While I extremely regret the hardships these workmen have undergone, I cannot admit that the Revenue should suffer by the failure of a Public Contractor to fulfil his engagements. I trust, on the completion of the road, a balance may remain sufficient to liquidate the claims of these men, who are fairly entitled to every consideration at the hands of the Government.

I specially thank you for the liberal sum you have recommended to be offered as a premium on the erection of a Quartz Mill in Cariboo. I hope it will prove an inducement to capitalists to commence an undertaking which would at once give a permanent character to mining operations in that extensive Gold District. I confidently look forward to a season of unusual success in that portion of our Gold Fields. The privileges you have considered it advisable to grant to the Bed Rock Flume Company will, I believe, enable the company successfully to complete their important undertaking without further delay, and thus open up for mining operations a large portion of Williams Creek known to be rich, but which it has hitherto been found impossible to work.

The Return asked for by your Resolution of the 25th January, showing the Expenditure incurred during the past year on account of the Hospitals at Williams Creek and at New Westminster, could not be correctly furnished without reference to the Magistrate of the Cariboo District. When the Return is received, it shall be published in the *Government Gazette*.

The opening of trails and roads to the several Mining Districts has commenced, and will be prosecuted with the utmost vigour and dispatch. The snow has been removed from the main waggon roads. The trail to the new Mining District on Bridge River is in course of construction. A party under the superintendence of Mr. Moberly has left for Seymour, with instructions to use every exertion to improve,

without delay, the existing trail to the Columbia River, and to continue the same to the centre of the present Mining District. The Chief Commissioner of Lands and Works will, in the course of a few days, proceed to Cache Creek, to inspect and take over the road already completed for waggon traffic from that point to Savana's Ferry, and will be authorized to enter into negotiations with Mr. G. B. Wright, in view of an immediate alteration in the position of the Upper Toll Gates.

I trust during the present season we shall be enabled to continue the Exploration of the Selkirk Range of Mountains, and thus, connecting our own Explorations with those of Captain Palliser, remove all doubt of the practicability of a route for Road or Railway from Canada, through British Territory, to the Shores of the Pacific.

I have directed the accounts of the Explorations undertaken last year to be printed and laid before you.

Honourable Gentlemen of the Legislative Council:

I thank you for the manner in which you have discharged the business of the Session.

It now only remains for me to prorogue this Council, and the same is hereby prorogued accordingly.

APPENDIX A

**STANDING ORDERS
OF THE
LEGISLATIVE COUNCIL
OF BRITISH COLUMBIA**

[Approved 25 January and amended 28 January 1864]

1. At the hour of Meeting, as nearly as may be, the Presiding Member shall take the Chair, and if it shall then appear that no quorum is present, he shall adjourn the Council to such convenient day as he may think meet.

2. Immediately after the Presiding Member takes the Chair, the Minutes of the proceedings of the last preceding day's sitting shall be read by the Clerk, in order that any error therein may be corrected, and when correct the same may be approved.

3. The Presiding Member shall preserve due order and decorum during each Session of the Council, and protect all the Members thereof in the enjoyment of all their rights and privileges. He shall decide all questions of order that may arise, giving his reasons for such decisions, and citing the rule applicable to the case, but otherwise without comment. Any such decision, however, shall be subject to revision by the Council on appeal.

4. All questions of order, upon which appeals shall be made from the decision of the Presiding Member, shall be decided by direct vote of the Council without debate, the vote to be called by the Presiding Member in the following form: "Is it the pleasure of this Council to support the Chair?"

5. Any Member speaking upon any subject shall rise and address the Council (or in Committee) the Chairman.

6. In case two or more Members shall happen to rise at the same time, the Presiding Member shall name the Member who is to have the floor.

7. Upon any Member being called to order, he shall take his seat till the question of order be decided.

8. No motion, except to adjourn or for the previous question, shall be introduced, except the same be written in ink, and contain the name of the mover and seconder.

9. Every motion shall be read by the mover thereof, standing in his place, upon which it shall be handed to the Clerk who shall also read it. The Presiding Member shall then receive it, and put it to the Council, after which it shall be considered before the Council; but any motion may be withdrawn at any time, before a decision thereon, by the mover and seconder thereof, with the consent of the Council.

10. No Member shall speak more than once, except in explanation to the same motion, except the mover thereof, who shall be allowed to reply.

11. After the reply of the mover of any motion, no further discussion shall be allowed thereon; but unless an amendment be moved thereto, it shall be immediately put to the vote, after which no Member shall speak, or leave his seat until the final vote is taken.

12. Amendments shall be subject to the same rules as original motions.

13. The amendment shall be put to the vote before the original motion, and the last amendment before any previous one, except in cases raising or appropriating money, in which case the smallest sum shall be put first.

14. While any motion is under debate no other motion shall be entertained, except a motion to amend, to commit, to postpone, or to lay on the table, or a motion for the previous question, or to adjourn, which latter motion shall always be in order, except when the Council is in Committee of the whole.

15. A motion for commitment, until it is decided, shall preclude all amendments.

16. A motion to postpone, shall include a day for the further consideration of the question.

17. When a motion to lay on the Table prevails, the matter so delayed may be called up again on any subsequent day by the motion of any Member.

18. A motion for the previous question until it is decided shall preclude all debate, and all motions for amendments or otherwise shall be put in the following words: "Shall the main question be now put?"

19. Every Bill shall be introduced by leave granted to some Member, on motion therefor, in which motion the Title of the proposed Bill shall be recited, or its general objects expressed.

20. No Bill shall be committed or amended until it shall be twice read in Council; but the first reading shall follow its introduction as a matter of course, and may consist of its Title only.

21. Every Bill before its final reading and passage shall be committed, and each enacting clause separately considered in Committee of the whole, upon which it shall be reported to the Council with any amendment that may have been agreed upon in Committee. If the report be adopted in Council, no amendment shall afterwards be offered, except to the title or preamble; nevertheless a motion for recommitting may be entertained.

22. No Bill for raising money, or which in its operation shall have a tendency to increase the burdens of the people, shall be finally passed on the day on which it is introduced.

23. Upon the final reading and passage of any Bill, the same shall be certified by the signature of the Clerk.

24. The Council may resolve itself into a Committee of the whole for the consideration of any Bill or any other matter, upon the motion of a Member. When any such motion prevails the Presiding Member shall leave the Chair, appointing one of the Members as Chairman of the Committee.

25. When the Committee rise, which shall be by motion of some Member, and decided without debate, the Chairman shall report to the Presiding Member all amendments and resolutions adopted therein, who shall immediately refer the same to the Council for concurrence.

26. When any report of the Committee of the whole shall be submitted to the Council, as provided in the last preceding rule, no discussion shall be had thereon, and no amendment made thereto, but it shall be either adopted or rejected, or referred back with instructions, or postponed to a time to be fixed for asking the concurrence of the Council.

27. Select Committees may be granted upon motion of any Member, the selections to be made by the Presiding Member, unless named in the motion granting the same; provided always that the Member moving for a select Committee, shall in all cases be a member thereof.

28. A majority of the whole number of Members chosen, to compose any Committee, shall form a quorum thereof.

29. The reports of all special and select Committees shall be submitted to the Council in writing, bearing the date of the day of their adoption and the signature of the Chairman thereof.

30. No discussion shall be allowed upon the reception of the report of any Committee, but the same shall be forthwith either adopted or rejected, or referred to a Committee of the whole, or laid on the table, or deferred to some future time to be fixed by the Council.

31. The business of the Council shall be taken up and disposed of at each daily session in the following order:

FIRST—Reading the Minutes.

SECOND—Reading and referring Petitions, Memorials and other Communications.

THIRD—Orders of the Day.

FOURTH—Notices of Motions.

FIFTH—Any other business.

32. Whenever a division is taken upon any question before the Council, it shall be the duty of every Member present to vote on the same; and any present Member who shall not distinctly give his vote, on either side, shall be considered as giving his vote in the affirmative, and shall be counted among the Ayes accordingly.

33. Upon any division which may take place the Ayes and Nays shall be taken down by the Clerk, if any one Member shall so desire.

34. Upon the adjournment of the Council the Members will keep their seats until the Presiding Member shall have left the Chair.

35. That alterations or amendments may be made to the foregoing rules by the Council.

36. That the Council can by motion of any Member, suspend the standing orders for the time being without notice.

37. All Bills and motions thrown out cannot again be brought forward during the Session.*

STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA.

[12 January 1865]

MEETINGS AND ADJOURNMENTS.

1. The hour of meeting shall be 3 o'clock, on Monday, Tuesday, Thursday and Friday; and 1 o'clock, on Wednesday; should a quorum of Members not be present at the time at which the Council shall have been summoned on any particular day, the Presiding Member shall take the chair, and if it shall then appear that no quorum be present, he shall adjourn the Council to the time of meeting fixed for the next following day.†

2. It shall be lawful for the Council on the motion of any Member, duly seconded and carried by a majority, to alter the hour of meeting of the next sitting of Council, if it shall be deemed necessary for the speedy dispatch of business.†

ATTENDANCE OF MEMBERS.

3. Five Members inclusive of the Presiding Member shall be a quorum for the transaction of business; and in the event of a quorum not being present at the hour of meeting of the Council, it shall be lawful for the Presiding Member to summon any absent Members, and any Members so sent for, and not attending forthwith, shall be held to be guilty of contempt.†

* Standing Orders of the Legislative Council of British Columbia [1864], British Columbia, Legislative Council, GR 515, PABC.

† Amended, 30 January 1865.

4. No Member shall depart the House without the leave of the Presiding Member; and upon the adjournment of the Council, Members will keep their seats till the Presiding Member shall have left the Chair.

5. Any Member requiring leave of absence from the Council during its Session, shall make application to the Governor, personally or by writing through the Presiding Member.

6. Except on the first day of a Session, at the daily opening of the business of the Council, the list of Members' names shall be called over, and such as shall be absent without leave shall be fined Ten Dollars, and their names shall be entered on the minutes.†

7. Immediately after the Presiding Member take the Chair, the Minutes of the proceedings of the previous day's sitting shall be read by the Clerk, in order that any error therein may be corrected, and when correct the same shall be approved and signed by the Presiding Member.

RULES OF DEBATE.

8. The Presiding Member shall preserve due order and decorum during each Session of the Council, and protect all the Members thereof in the enjoyment of all their rights and privileges. He shall decide all questions of order that may arise, giving his reasons for such decisions, when required by any Member, and citing the rule applicable to the case; but otherwise without comment.

9. Every Member shall in discussing any question, address the Chair, and shall stand while so doing; and should he wish to allude to the Speech or opinion of any other Member, he must do so without naming him; Official Members may be designated by their appointments.

10. If any two or more Members rise to speak at the same time, the President shall call on the person entitled in his opinion to pre-audience.

11. Upon any Member being called to order, he shall take his seat till the question or order be decided.

12. No motion, except to adjourn or for the previous question, shall be introduced, except the same be written in ink, and contain the name of the mover and seconder.

13. Every motion shall be read by the mover thereof, standing in his place, upon which it shall be handed to the Clerk, who shall also read it, and it shall then be put to the Council by the Presiding Member, after which it shall be considered before the Council; but any motion may be withdrawn at any time, before a decision thereon, by the mover and seconder thereof, with the consent of the Council.

14. No Member shall speak more than once, except in explanation to the motion, except the mover thereof, who shall be allowed to reply.

† Amended, 30 January 1865.

15. After the reply of the mover of any motion, no further discussion shall be allowed thereon; but unless an amendment be moved thereto, it shall be immediately put to the vote, after which no Member shall speak or leave his seat, until the final vote is taken.

16. While any motion is under debate no other motion shall be entertained, except a motion to amend, to commit, to postpone, or to lay on the table, or a motion for the previous question, or to adjourn, which latter motion shall always be in order, except when the Council is in Committee of the whole.

17. A motion for commitment, until it is decided, shall preclude all amendments.

18. A motion to postpone, shall include a day for the further consideration of the question.

19. When a motion to lay on the table prevails, the matter so delayed may be called up again on any subsequent day, by the motion of any Member.

20. A motion for the previous question until it is decided, shall preclude all debate; and all motions for amendments or otherwise shall be put in the following words: "Shall the main question be now put?"

21. Any Member intending to introduce a Bill, Resolution or other matter into the Council, shall give one day's notice of his intention, but shall not be permitted to introduce the same without leave, which must be obtained on the day of notice, from the Council.

22. In every case an amendment which has been moved and seconded, shall be put before the original question, and every later amendment before a former one.

23. A motion to amend a proposed amendment, cannot be put until the proposed amendment shall have taken the place of the original question, nor after it shall have been adopted, and no question can be put to the vote which is substantially the same as one on which the judgment of the Council has already been expressed in the current Session.

24. To prevent any misunderstanding in the Council, no Member shall be liable to answer for a motion made, or words spoken in the Council, unless it be at the same sitting, and before the adjournment; and the Council shall receive no information from without doors, of words spoken openly in the Council.

25. All imputations of improper motives shall be considered as being highly disorderly; and such conduct shall be minuted in the Journals, if it shall appear to a majority of the Council to be necessary.

26. An adjournment of the discussion of any question may be moved by a Member at any time, and if seconded, may be adopted or not by the majority.

27. No amendment shall be proposed upon an amendment which is under discussion.

28. No Member shall be allowed to read any speech.

29. Every motion and amendment must be in writing, and must be seconded before it can be put to the vote.

ORDER OF BUSINESS.

30. The business of the Council shall be taken up and disposed of at each daily Session, in the following order:

FIRST—Reading the Minutes.

SECOND—Reading and referring Petitions, Memorials and other Communications.

THIRD—Notices of Motion.

FOURTH—Orders of the Day.

31. On the first day of the Session the Governor's Speech shall be read, with the Despatches, Bills and other Documents accompanying it, and such reading shall be the first reading of the said Bills. The Committee to prepare an address on the Governor's Speech on opening the Session, shall then be appointed by the Presiding Member on motion in Council.

32. With the exception of questions of privilege, which shall take precedence of all others, all business shall be taken in the order in which it appears in the "Order Book," unless by permission of the President, on good reasons being shewn for such deviation.

BILLS—RESOLUTIONS.

33. Every Bill except those sent down to the Council by the Governor, shall be introduced by leave granted to some Member, on motion therefor, but to expedite the conduct of business, no Member shall be allowed to introduce a Bill after fourteen days have elapsed from the date of the reply to the Governor's Address being presented, without the consent of every Member of Council present on such motion being put, but a majority may at any time request the Governor to introduce any Bill that may be desired.†

34. Every Bill before it passes, shall be read three times.

35. No Bill shall pass two readings on the same day, without the unanimous consent of the Council.

36. After the second reading of a Bill, the Council shall always resolve itself into a Committee of the whole Council on the same, for the purpose of discussing the provisions of the said Bill, and any amendments to be proposed thereto, and in such Committee the Bill shall be gone through clause by clause.

37. Excepting where amendments are proposed by the Governor, a Bill which has been reported from a Committee of the whole Council, and agreed to, shall not be recommitted for the purpose of altering or reversing any thing therein contained, but solely for the introduction of new or supplemental matter, in aid of the provisions of the Bill previously agreed to.

† Amended, 30 January 1865.

38. When a Bill has been passed by the Council, it shall be presented by the President, for Her Majesty's assent, to the Governor.

39. Whenever the Governor shall propose amendments to any Bill or Resolution sent up to him by the Council, the Council shall resolve itself into a Committee of the whole Council on the same; but the provisions of the said Bill or Resolution, as previously passed by the Council, shall not then be taken into consideration, save in so far as the amendments proposed effect or have reference to the same.

40. When the Committee shall have reported to the Council on such proposed amendments, and the Council shall have come to a decision on such report, a copy of the Resolution of the Council, giving the result of the determination, or requesting a conference, shall be forwarded to the Governor.

41. No Bill, which has been rejected by the Council, shall be re-introduced during the same Session.

42. Upon the final reading and passage of any Bill, the same shall be certified by the signature of the Presiding Member.

43. It shall be in the power of the Governor to reserve Bills for Her Majesty's consideration, and to assent to them when so instructed, although the Council shall have been prorogued.

44. The Council may at any time request a conference with the Governor, particularly if there be matter to be considered which it might be detrimental to the interests of the Colony to have openly discussed in the first instance.

COMMITTEES.

45. The Council may resolve itself into Committee of the whole for the consideration of any Bill or any other matter, upon the motion of a Member. When any such motion prevails the Presiding Member may leave the Chair, appointing one of the Members as Chairman of the Committee.

46. When the Committee rise, which shall be by motion of some Member, and decided without debate, the Chairman shall report to the Presiding Member all amendments and resolutions adopted therein, who shall immediately refer the same to the Council for concurrence.

47. When any report of the Committee of the whole shall be submitted to the Council, as provided in the last preceding rule, no discussion shall be had thereon, and no amendment made thereto, but it shall be either adopted or rejected, or referred back with instructions, or postponed to a time to be fixed for asking the concurrence of the Council.

48. Select Committees may be granted upon motion of any Member, the selections to be made by the Presiding Member, unless named in the motion granting the same; provided always that the Member moving for a Select Committee shall in all cases be a Member thereof.

49. A majority of the whole number of Members chosen, to compose any Committee, shall form a quorum thereof; the first Member named to be Chairman of the Committee.

50. The reports of all Special and Select Committees shall be submitted to the Council in writing, bearing the date of the day of their adoption, and the signature of the Chairman thereof.

51. No discussion shall be allowed upon the reception of the report of any Committee, but the same shall be forthwith either adopted or rejected, or referred to a Committee of the whole, or laid on the table, or deferred to some future time to be fixed by the Council.

PETITIONS.

52. Petitions may be presented to the Presiding Member by any Member immediately after the Chair is taken, provided that there shall be indorsed upon it a certificate signed by the Member presenting the same, or by some other Member of Council, that in his opinion the petition is throughout perfectly respectful and deserving of presentation, and that the statements contained therein are generally correct.

53. It shall be competent to any Member to move that such petition be read; but in making such motion he shall state concisely the purport of the petition, together with his reasons for wishing to have the same read, and the motion being seconded, the question shall be put whether the petition be read.

54. No debate shall take place on presentation of any petition, except as to receiving or reading such petition, and every petition after being received shall be laid on the table of the Council, for at least one day before it is again taken up and disposed of.

55. In any case where individual rights or interests may be peculiarly affected by any proposed Ordinance, all parties so affected may be heard before the Council when in Committee upon such Ordinance, either in person or by Counsel.

MISCELLANEOUS.

56. Whenever a division is taken upon any question before the Council, it shall be the duty of every Member present to vote on the same; and any present Member who shall not distinctly give his vote, on either side, shall be considered as giving his vote in the affirmative, and shall be counted among the Ayes accordingly.

57. Upon any division which may take place, the Ayes and Nays shall be taken down by the Clerk, if any one Member shall so desire.

58. Whenever leave shall be given to any Member to introduce a Bill, Resolution, or other matter, a day shall be appointed for the introduction thereof, and all such appointments shall be entered in a book, to be entitled "Order Book," and notified on a board, to be entitled "Order of the day," and to be affixed to the door of the House.

59. All dropped Orders of the day must be considered dropped, and brought up again in the usual way. Messages and Bills, or other documents from the Governor, shall be read at the time they are received, or as soon as practicable; but the Council cannot adjourn until the Message, Bill, or document has been read to the Council.

60. When any motion has been made and seconded, it shall be put to the vote whether the matter proposed be debated or not.

61. The Reporters of the Public Press shall be admitted by season ticket, issued by the Clerk of the Council. The Public will be admitted by ticket only; each Member will be limited to the issue of two tickets for each sitting of the Council.

62. On the motion of any Member, though not seconded, "That Strangers do withdraw," such strangers must withdraw, including the Press.

CLERK.

63. It shall be the duty of the Clerk of the Council to make Minutes of the Votes, Resolutions, Addresses, Orders, Reports, Divisions, and all other proceedings of the Council, and to preserve the original Documents; to prepare for the use of the Printer copies of the Votes and of all Papers and Documents directed to be printed therewith; to see that they be correctly printed and distributed to the Members; to read aloud all such Documents as the Council may order to be read, with the exception of Messages from the Governor, which must always be read by the Presiding Member.

FINES.

64. All fines incurred or imposed by the Council, shall be enforced by Warrant under the hand of the Presiding Member, addressed to the Clerk of the Council.

65. The Council shall have power to remit, excuse, mitigate or refund any fines incurred or imposed.

66. All fines when paid shall be appropriated to the purchase of Books for a Library for the use of the Council, or to such other purpose as the Council shall from time to time determine by Resolution.

SUSPENSION OF STANDING ORDERS.

67. Should any emergency arise, it is in the power of the Council to suspend the foregoing Standing Orders for the time being, by unanimous vote.

APPENDIX B

COLONIAL ESTIMATES OF THE COLONY OF
BRITISH COLUMBIA,
1865-1866*

1865

COLONIAL ESTIMATES
BRITISH COLUMBIA

A. & B.

A

ABSTRACT OF THE PROBABLE REVENUE of the Colonial Government of British Columbia for the year 1865, showing also the Revenue received under the similar heads in the year 1863, being the year previous to that in which the Estimates are prepared.

	Estimate for 1865.	Revenue of 1863.
Customs	£87,110	£50,141 15 0
Ports and Harbor Dues	8,075	6,778 15 3
Roads' Tolls	26,000	25,894 13 11
Excise Duties	600	602 14 0
Land Sales	1,000	5,681 16 10
Land Revenue	500	604 18 7
Rents, exclusive of land	400	489 3 1
Free Miners' Certificates	7,500	4,066 0 0
Mining Receipts, General	9,500	4,650 2 5
Licences, Spirit and Trading	7,000	4,265 6 8
Postage	1,000	461 0 7
Fines, Forfeitures and Fees of Court	2,000	794 13 4
Fees of Office	2,580	2,866 9 2
Sale of Government Property	200	2,481 8 10
Reimbursements in aid of Expenses incurred by Government ...	50	
Miscellaneous Receipts	100	1,099 1 2
	<hr/>	<hr/>
Total Revenue,	£153,615	£110,877 18 10
Receipts in aid of Revenue due by Her Majesty's Government ..	2,937 10 6	
Balance of Loan undrawn	73,700	
	<hr/>	
	£230,252 10 6	

* The colonial estimates were not published with the printed version of the journals of the Legislative Council of British Columbia until 1866. The estimates for 1864 are included in the minutes with Governor Douglas' opening speech to the Legislative Council on 21 January 1864 (pp. 181-82). Those for 1865 are taken from the *British Columbian*, 7 March 1864.

REVENUE DETAILED.

	Estimate for 1865.	Revenue of 1863.
Customs.		
Import duties	62,000	
Fees	10	
Fines and Seizures	100	
Gold Export Duty	25,000	
	87,110	50,141 15 0
Port and Harbor Dues.		
Harbor Dues	1,000	
Head Money	1,000	
Tonnage Dues	6,000	
Inland Navigation Licences	75	
	8,075	6,778 15 3
Roads' Tolls	26,000	25,894 13 11
Excise Duties	600	602 14 0
Land Sales	1,000	5,681 16 10
Land Revenue	500	604 18 7
Rents, Exclusive of Land Ferry Tolls	400	489 3 1
Free Miners' Certificates	7,500	4,066 0 0
Mining Receipts, General	9,500	4,650 2 5
Licences.		
Spirit	5,000	
Trading	2,000	
	7,000	4,265 6 8
Postage	1,000	461 0 7
Fines, Forfeitures, and Fees of Courts.		
Supreme Court	500	
Police Courts	1,500	
	2,000	794 13 4
Fees of Office.		
Land Registry Fees	480	
Assay Fees	2,000	
Registration of Joint Stock Cos.	100	
	2,580	2,866 9 2
Sale of Government property	200	2,481 8 10
Reimbursements in aid of Expenses incurred by Government	50	
Miscellaneous Receipts	100	1,099 1 2
	Total Revenue, £153,615	110,877 18 10
Receipts in aid of Revenue.		
Due by Her Majesty's Government on Regimental pay account	2,937 10 6	
Balance of Loan of 1864 undrawn	73,700	
	Total, £230,252 10 6	

B

ABSTRACT of the sums required to defray the Expenses of the Colonial Government of British Columbia, for the year from 1st January to the 31st December, 1865, showing also the amount actually expended in the year previous to that in which the Estimates are prepared, viz. 1863.

Item of Estimate.	Estimate For the Year 1865.	Expenditure of 1863.
1. Establishments:		
Salaries—Fixed Establish. _____	£36,362	
Do. Provisional and Tem. _____	340	
Allowances _____	700	
Office Contingencies _____	2,915	
	40,317	28,590 19 6
2. Revenue Services, ex. of Estab. _____	500	126 19 8
3. Administration of Justice do. _____	1,430	1,762 5 10
4. Charitable Allowances _____	1,550	889 9 8
5. Education _____	1,000	75 0 0
6. Police and Gaols, ex. of Estab. _____	8,380	3,324 15 7
7. Rent _____	600	206 0 0
8. Transport _____	4,825	10,631 13 2
9. Conveyance of Mails _____		1,988 6 9
10. Works and Buildings _____	22,450	4,082 14 5
11. Roads, Streets and Bridges _____	78,583 6 1	79,202 0 7
12. Miscellaneous Services _____	2,975	1,546 13 9
13. Interest _____	14,100	3,571 9 11
14. Drawbacks and Refunds _____	550	
15. Immigration _____	3,000	
16. Redemption of Bonds _____	6,400	11,700 0 0
17. Sinking Funds _____	8,750	
18. Temporary Loans _____	27,210	
19. Home Government Account _____	10,704 16 7	
	Total, £228,325 2 8	£147,598 8 10

 No. 1. ESTABLISHMENTS DETAILED.

CIVIL.

HIS EXCELLENCY THE GOVERNOR.

SALARIES.	Fixed Establishment.
Governor	£3,000
Private Secretary	350
Messenger	100
	<hr/> 3,450
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, &c.	50
Total His Excellency the Governor	<hr/> 3,500

COLONIAL SECRETARY.

SALARIES.	Fixed Establishment.
Colonial Secretary	800
Chief Clerk	400
Clerk	350
Clerk	300
	<hr/> 1,850
Printing Branch.	
Superintendent	300
Two Printers £200 each	400
One Assistant Printer	180
	<hr/> 880
Messenger	100
ALLOWANCES. Nil.	
CONTINGENCIES.	
Extra Assistant in office	300
Advertising in public Newspapers	100
Stationery, Fuel &c.	150
Paper for Printing Office	100
	<hr/> 650
Total Colonial Secretary	<hr/> 3,480

TREASURER.

SALARIES.	Fixed Establishment.
Treasurer	750
Chief Clerk	400
Clerk	300
Clerk	250
Clerk	220
Messenger	120
	<hr/> 2,040
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel &c.	100
Total Treasurer	<hr/> 2,140

ESTABLISHMENTS DETAILED.

ASSAY AND REFINERY OFFICE.

SALARIES.	Fixed Establishment.
Superintendent of Assay	500
Assistant Assayer	350
Chief Melter	400
Assistant in Office	150
	— 1,400
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Chemicals &c.	200
	—
Total Assay and Refinery Office	1,600

AUDITOR GENERAL.

SALARIES.	Fixed Establishment.
Auditor General	500
Clerk	300
	— 800
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery &c.	25
	—
Total Auditor General	825

COMMISSIONER OF LANDS AND SURVEYOR GENERAL.

SALARIES.	Fixed Establishment.
Chief Commissioner of Lands and Surveyor Gen.	800
Assistant Surveyor	500
Clerk of Works	300
Clerk of Correspondence	250
Draughtsman	250
Clerk (Accountant)	250
Messenger	100
	— 2,450
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Maps, Instruments &c.	250
	—
Total, Chief Commissioner of Lands & Works, &c.	2,700

CUSTOMS.

SALARIES.	Fixed Establishment.
Collector of Customs	650
Chief Clerk	400
Clerk	300
Messenger	96
Pilot	100
	— 1,546
	Provisional and Temporary.
Customs Officer North West Coast	800

 ESTABLISHMENTS DETAILED.

Out Door Department	Fixed Establishment.
Revenue Officer	350
1st Landing Waiter	300
2nd Landing Waiter	250
2 Boatmen	288
	— 1,188

ALLOWANCES. Nil.

CONTINGENCIES.

Stationery, Fuel &c. 50

Total Customs 3,084

 REGISTRAR GENERAL.

SALARIES.	Fixed Establishment.
Registrar General	500
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Office Cleaner, &c.	50
Temporary Assistance	50
	— 100
Total Registrar General	600

 HARBOR MASTER.

SALARY.	Fixed Establishment.
Harbor Master	400
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery &c.	20
	— 420
Total Harbor Master	420

 POST OFFICE.

SALARIES.	Fixed Establishment.
Postmaster General	400
Deputy Postmaster, Williams Creek	400
Clerk	120
Messenger	52
	— 972
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel &c.	100
	— 1,072
Total Post Office	1,072

 LEGISLATIVE COUNCIL.

SALARY.	Fixed Establishment.
Clerk	200
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel, Messenger &c.	250
	— 450
Total Legislative Council	450

ESTABLISHMENTS DETAILED.

INSPECTOR STEAM VESSELS.

SALARY.	Fixed Establishment.
Inspector	300
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, &c.	250
Total Inspector Steam Vessels	320

TOTAL OF CIVIL ESTABLISHMENTS	£20,191
The Governor	£3,500
Colonial Secretary	3,480
Treasurer	2,140
Assay and Refinery Office	1,600
Auditor General	825
Chief Commissioner of Lands & Works	2,700
Collector of Customs	3,084
Registrar General	600
Harbor Master	420
Post Office	1,070
Legislative Council	450
Inspector of Steam Vessels	320
	£20,191

JUDICIAL.

SALARIES.	Fixed Establishment.
Judge of Supreme Court	1,200
Puisne Judge	800
Registrar	400
	2,400
	Provisional and Temporary.
Provisional increase to half Salary of Acting Registrar	40
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel &c.	100
	2,540

ATTORNEY GENERAL.

SALARIES.	Fixed Establishment.
Attorney General	500
Clerk	250
	750
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel &c.	50
	800

TOTAL JUDICIAL ESTABLISHMENTS	3,340
Supreme Court	2,540
Attorney-General	800
	£3,340

 ESTABLISHMENTS DETAILED.

POLICE, INCLUDING PRISONS AND GAOLS.

SALARIES. POLICE.	Fixed Establishment.
Police Magistrate and Chief Inspector	600
High Constable	240
3 Constables at £144 each	432
	— 1,272
GAOL.	
Warden	300
2 Gaolers at £145 each	288
Medical Attendant	100
	— 688
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery &c.	50
Total Police and Gaols	2,010

 ASSISTANT GOLD COMMISSIONER AND STIPENDIARY
MAGISTRATE.

CARIBOO EAST.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner, &c.	700
Clerk	400
Chief Constable	400
2 Constables at £300 each	600
	— 2,100
ALLOWANCES.	
To Magistrate, owing to the high price of provisions	200
CONTINGENCIES.	
Stationery, Fuel &c.	150
Total Assistant Gold Commissioner, &c., Cariboo East	2,450

 GOLD COMMISSIONER, STIPENDIARY MAGISTRATE AND
DEPUTY COLLECTOR OF CUSTOMS.

KOOTENAY.

SALARIES.	Fixed Establishment.
Gold Commissioner	800
Clerk to the Gold Commissioner	450
Clerk to Collector of Customs	350
Chief Constable, Magistrate's Department	300
Constable do. do.	240
2 Constables, Customs Department, £250 each	500
	— 2,640
ALLOWANCES.	
To Magistrate, owing to the high price of provisions	200
CONTINGENCIES.	
Stationery, Fuel &c.	200
Total Gold Commissioner &c., Kootenay	3,040

ASSISTANT GOLD COMMISSIONER AND STIPENDIARY MAGISTRATE.

CARIBOO WEST OR QUESNEL.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner &c.	500
Clerk	350
Chief Constable	300
Constable	250
	— 1,400
ALLOWANCES.	
To Magistrate, owing to the high price of provisions	200
CONTINGENCIES.	
Stationery, Fuel &c.	150
Total Assistant Gold Commissioner, Quesnel	1,750

ASSISTANT GOLD COMMISSIONER AND STIPENDIARY MAGISTRATE.

LYTTON.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner	500
Chief Constable	240
Constable	192
1 Toll Collector	300
1 Check taker	200
	— 1,432
ALLOWANCES.	
To Magistrate, owing to the high price of provisions	50
CONTINGENCIES.	
Stationery, Fuel &c.	100
Total Assistant Gold Commissioner, &c., Lytton	1,582

ASSISTANT GOLD COMMISSIONER AND STIPENDIARY MAGISTRATE.

YALE AND HOPE.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner	500
Chief Constable	250
2 Constables at £192 each	384
1 Toll Collector	192
1 Constable at Hope	192
	— 1,518
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel &c.	100
Total Assistant Gold Commissioner &c., Yale and Hope	1,618

ASSISTANT GOLD COMMISSIONER AND STIPENDIARY
MAGISTRATE.

LILLOOET.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner	500
Chief Constable	240
1 Constable	192
1 Toll collector	300
1 Constable and check taker, Clinton	200
	<hr/> 1,432
ALLOWANCES.	
To magistrate, owing to the high price of provisions	50
CONTINGENCIES.	
Stationery, Fuel, &c.,	100
	<hr/>
Total Assist. Gold Commissioner, &c., Lillooet	1,582

ASSIST. GOLD COM. AND STIPENDIARY MAGISTRATE.

DOUGLAS.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner	500
Chief Constable	192
Constable	192
1 Toll collector	250
	<hr/> 1,340
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel, &c.,	50
	<hr/>
Total Asst. Gold Commissioner, &c., Douglas	1,184

ASSISTANT GOLD COMMISSIONER, STIPENDIARY MAGISTRATE
AND DEPUTY COLLECTOR OF CUSTOMS.

FORT SHEPHERD AND OSOYOOS.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner	500
Clerk and constable	300
Constable	240
2 Constables, Fort Shepherd	480
	<hr/> 1,520
ALLOWANCES. Nil.	
CONTINGENCIES.	
Stationery, Fuel, &c.,	50
	<hr/>
Total Assist. Gold Commissioner, &c., Osoyoos	1,570

No. 1. Recapitulation of the Foregoing Establishments.

CIVIL ESTABLISHMENTS.	Salaries.		Allow.	Office Conting.	Total
	Fixed Estab.	P. & T.			
H. E. The Governor	3,450	—	—	50	3,500
Colonial Secretary	2,830	—	—	650	3,480
Treasurer	2,040	—	—	100	2,140
Assay and Refinery Office	1,400	—	—	200	1,600
Auditor-General	800	—	—	25	825
Chief Com. L. & W. & Surveyor-General	2,450	—	—	250	2,700
Collector of Customs	2,734	300	—	50	3,084
Registrar-General	500	—	—	100	600
Harbormaster	400	—	—	20	420
Post Office	972	—	—	100	1,072
Legislative Council	200	—	—	250	450
Inspector Steam Vessels	300	—	—	20	320
JUDICIAL ESTABLISHMENTS.					
Supreme Court	2,400	40	—	100	2,540
Attorney-General	750	—	—	50	800
POLICE ESTABLISHMENTS.					
New Westminster	1,960	—	—	50	2,010
GOLD, ASST. GOLD COM. & STIPEND MAGISTRATE					
Cariboo East District	2,100	—	200	150	2,450
Kootenay	2,640	—	200	200	3,040
Cariboo West	1,400	—	200	150	1,750
Fort Shepherd	1,520	—	—	50	1,570
Lytton	1,432	—	50	100	1,582
Yale and Hope	1,518	—	—	100	1,618
Lillooet	1,432	—	50	100	1,582
Douglas	1,134	—	—	50	1,184
Total Establishments £	36,362	340	700	2,915	40,317

No. 2. REVENUE SERVICES, Exclusive of Establishments.

Arrest and prosecution of Smugglers at New Westminster and Southern Boundary	400
Travelling expenses of officers on duty	100
Total Revenue Services, exclusive of Establishments	£500

No. 3. ADMINISTRATION OF JUSTICE, Exclusive of Establishments.

Summoning Jurors and Witnesses	50
Prosecution, and Interpreters' Fees, &c.	350
Expenses of Judge and Registrar while on circuit	1,000
Expenses attending Inquests, &c., at New Westminster	30
Total Administration of Justice, ex. of Etab.	£1,430

No. 4. CHARITABLE ALLOWANCES.

In aid of Hospital, New Westminster	500
Do. Cariboo	500
Do. Kootenay	500
In aid of the destitute, poor and sick	50
Total Charitable Allowance	£1,550

NO. 5. EDUCATION.

For aid in the establishment and maintenance of Schools throughout the Colony	£1,000
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No. 6. POLICE AND GAOLS, Exclusive of Establishments.

NEW WESTMINSTER.

Provisions and other necessities for Prisoners	1,100
Clothing, bedding and furniture	200
Working Implements for Chain-gang	120
Witnesses and Interpreters	100
	1,520

CARIBOO EAST.

Keep of prisoners and other police expenditure at this station	500
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KOOTENAY.

Keep of prisoners, &c., at this station	400
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CARIBOO WEST, OR QUESNEL.

Keep of prisoners, &c., at this station	200
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FORT SHEPHERD AND OSOYOOS.

Keep of prisoners, &c., at this station	150
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LYTTON.

Keep of prisoners, &c., at this station	150
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YALE AND HOPE.

Keep of prisoners, &c., at this station	160
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LILLOOET.

Keep of prisoners, &c., at this station	150
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DOUGLAS.

Keep of prisoners, &c., at this station	150
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Total Police and Gaols, ex. of Establishments	£3,380
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No. 7. RENT.

Of Court House and Gaol, Kootenay	150
Do. Cariboo West or Quesnel	150
Do. Lillooet	150
Of Post Office, Williams Creek	150
Total Rent	£600

No. 8. TRANSPORT.

His Excellency the Governor.	
Expenses of tours in the Interior, &c.	1,000
Colonial Secretary.	
Expenses of tours in the Interior, &c.	250
Treasurer.	
Freight upon remittance of Treasure	50
Assay and Refinery Office.	
Transport of Assay materials, &c., to Kootenay	1,000
Auditor-General.	
Travelling Expenses, inspecting accounts	100
Chief Commissioner of Lands & Surveyor-General.	
Keep of Government horses	150
Harbormaster.	
Occasional hire of boatmen.	25
Gold, Ass't Gold Commissioner & Stipendiary Magistrates.	
Travelling expenses, Magistrates attending Council	350
Actual travelling expenses of officers on duty	800
Keep of horses at the different stations	500
	— 1,650
Gold Commissioner &c., Kootenay.	
Travelling expenses of officers on duty	500
Inspector Steam Vessels.	
Travelling expenses of Inspector testing boilers	100
Total Transport	£4,825

No. 9. CONVEYANCE OF MAILS.

Reserved for Supplementary Estimates, the amount required being uncertain.

No. 10. WORKS AND BUILDINGS.

Government House.	
Repairs and improvements thereto	£300
Government Buildings.	
Repairs to Buildings at the seat of Government	300
Do Cariboo	300
Do Lytton	100
Do Yale	200
Do Douglas	100
Sundry repairs to Gov. buildings throughout the Colony	300
	— 1,300
New Works.	
Building Court House and Gaol, Kootenay	600
Do Cariboo West or Quesnel	1,000
Building a Gaol at Osoyoos	100
Building Court House & Gaol at Lillooet (a re-vote)	1,000
Public Buildings, New Westminster	2,000
Building School-house, New Westminster	250
Town Clock, New Westminster	200

No. 10. WORKS AND BUILDINGS.

Buoying Sand Heads, Fraser River.

Buoying Fraser River, including the purchase of Buoys and Moorings in England 1,200

Light Ship, Fraser River.

Building a Light-ship for the Mouth of Fraser River, including stores and provisions 4,000

Grant in aid of Naval Survey of Coast 500

Surveying and assisting settlers to take up Land 4,000

Exploring in the Interior 6,000

Total Works and Buildings £22,150

No. 11. ROADS, STREETS AND BRIDGES.

New Roads.

Making Road, Alexandria to Quesnelmouth 12,000

Road from Cottonwood to Williams Creek 15,000

Making Road from Camerontown to Richfield 1,200

Making Roads and Trails towards Kootenay and North Bend of Columbia River 30,000

New trail from 36-mile post, Cut-off to Williams Lake 250

Quesnelmouth to Cottonwood River, last payment under G. B. Wright's contract,
due 1st July (a re-vote) 3,513 8 0

Completion of Douglas-street Road, New Westminster to Burrard Inlet (a re-
vote) 1,640 4 0

Telegraph Trail, Semiahmoo Bay to Mud Bay 240 5 7

Repairs.

Repairs to Harrison-Lillooet Road 3,793 9 5

Do Yale to Clinton Road 5,627 5 9

Do Lillooet to Alexandria 2,000 0 0

Do Trail, Harrison Slough to Douglas 200 0 0

Streets, Repairs.

Improvements to New Westminster Streets 2,500

Bridges.

Bridge over Cottonwood River, last payment due 1st (a re-vote) 463 18 4

In aid of sum expended by the Hudson Bay Co., in placing in repair, last year,
the Trail from Fort Shepherd to Kootenay Valley 155 0 0

£78,583 6 1

No. 12. MISCELLANEOUS SERVICES.

Furniture for Government House 800

Aid to Library, New Westminster 300

Do Cariboo 300

Do Kootenay 300

Presents to Indian Chiefs 100

Entertaining Indian Tribes 300

400

Loss on sale of Gold Dust received as Revenue after assay 100

Water Frontage Rentals to Municipal Council, N.W. 150

Testimonials to Commanders of Bentinck Arm and Alexandria Expeditions 425

Commission on purchase of Drafts for remit. to England 200

Total Miscellaneous Services £2,975

No. 13. INTEREST.

Interest on Loan of 1862	3,000
Interest on Loan of 1863	8,000
Interest on Loan of 1864	6,000
Interest on Temporary Loans	1,500
Interest on Roads Bonds	600
 Total Interest	 £14,100

No. 14. DRAWBACKS AND REFUNDS.

Of Deposit on account of Land sales at Bentinck Arm	400
Of Customs Duties	100
Of other Taxes	50
 Total Drawbacks and Refunds	 550

No. 15. IMMIGRATION.

For the purposes of Free & Assisted Immigration	3,000
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No. 16. REDEMPTION OF BONDS.

Cook's Ferry and Clinton Road Bonds due 30th September, 1865. Nos. 86 to 170 ..	4,250
Roads Bonds (Act of 1863) due 31st December, 1865	2,150
 Total Redemption of Bonds	 6,400

No. 17. SINKING FUND.

In Redemption of £50,000 Loan of 1862	4,500
In Redemption of £50,000 Loan of 1863	2,000
In Redemption of £100,000 Loan of 1864	2,250
 Total Sinking Fund	 8,750

No. 18. TEMPORARY LOANS.

Repayment of sum due the Bank of British Columbia	27,210
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No. 19. HOME GOVERNMENT ACCOUNT.

Due to Her Majesty's Government for the Buildings at the Camp, New Westminster.	£10,704 16 7
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1866

**COLONIAL ESTIMATES
BRITISH COLUMBIA.**

A. & B.

A.

ABSTRACT of the probable REVENUE of the Colonial Government of British Columbia, for the year 1866, showing also the Revenue received under the similar heads in the Year 1864, being the year previous to that in which the Estimates are prepared.

	Estimate for 1866.	Revenue of 1864.
	\$ c.	\$ c.
Customs.....	320,650 00	232,839 59
Port and Harbour Dues.....	37,150 00	29,918 27
Roads' Tolls.....	95,000 00	121,423 81
Excise Duties.....	1,500 00	1,523 38
Land Sales.....	15,500 00	19,271 59
Land Revenue.....	5,000 00	2,333 58
Rents, exclusive of Land.....	3,000 00	1,768 37
Free Miners' Certificates.....	26,750 00	17,169 00
Mining Receipts, General.....	26,750 00	29,651 02
Licences.....	40,000 00	29,147 29
Postage.....	9,000 00	5,550 79
Fines, Forfeitures, and Fees of Court.....	7,250 00	6,999 17
Fees of Office.....	6,500 00	8,065 27
Sale of Government Property.....	1,000 00	607 90
Reimbursement in aid of Expenses incurred by Government.....	2,990 00	1,575 02
Miscellaneous Receipts.....	800 00	752 19
Total Revenue.....	\$ 598,840 00	508,596 24
Receipts in aid of Revenue.		
Portion of Loan of 1864 undrawn.....	80,000 00	
Due by Imperial Government—Military balance.....	43,000 00	
Do. Do. on Pensions paid in 1865.....	720 80	
Total.....	\$ 723,460 80	

REVENUE DETAILED.

	Estimate for 1866.	Revenue of 1864.	Refer- ence to Re- marks.
	\$ cts	\$ cts	
CUSTOMS.			
Import Duties	\$320,100 00		
Fees	50 00		
Fines and Seizures	500 00		
	320,650 00	232,839 59	
PORT AND HARBOUR DUES.			
Harbour Dues	5,000 00		
Head Money	7,500 00		
Tonnage Dues	24,250 00		
Inland Navigation Licences	400 00		
	37,150 00	29,918 27	
ROADS' TOLLS	95,000 00	121,423 81	
EXCISE DUTIES	1,500 00	1,523 38	
LAND SALES	15,500 00	19,271 59	
LAND REVENUE.			
Rent of Land and Water Frontages	4,900 00		
Pre-emption Fees, &c.	100 00		
	5,000 00	2,333 58	
RENTS (EXCLUSIVE OF LAND).			
Ferry Rents	1,000 00		
Government Buildings and Houses	2,000 00		
	3,000 00	1,768 37	
FREE MINERS' CERTIFICATES	26,750 00	17,169 00	
MINING RECEIPTS, GENERAL	26,750 00	29,651 02	
LICENCES.			
Spirit	30,000 00		
Trading	10,000 00		
	40,000 00	29,147 29	
POSTAGE.			
Private Letters	9,000 00	5,550 79	
FINES, FORFEITURES, AND FEES OF COURT.			
Supreme Court	750 00		
Bankruptcy Court	500 00		
Police, Mining, and County Courts	6,000 00		
	7,250 00	6,999 17	
FEES OF OFFICE.			
Land Registry Fees	1,500 00		
Assay Fees	4,000 00		
Registration of Joint Stock Companies	250 00		
Inspecting Steamers	750 00		
	6,500 00	8,065 27	
SALE OF GOVERNMENT PROPERTY.			
Unserviceable Stores	1,000 00		
Building Materials			
Provisions			
	1,000 00	607 90	
REIMBURSEMENTS IN AID OF EXPENSES INCURRED BY GOVERN- MENT	2,990 00	1,575 02	
MISCELLANEOUS RECEIPTS.			
Convict Labour	800 00		
Overpayments recovered			
	800 00	752 19	
Total	\$ 598,840 00	508,596 24	

B.

ABSTRACT of the SUMS REQUIRED to defray the Expenses of the Colonial Government of British Columbia for the Year from 1st January to 31st December, 1866, showing also the amount estimated for the two years previous to that in which the Estimates are prepared, viz: 1864 and 1865.

Item of Estimate.	Salaries.		Allowan-ces.	Office Contin-gencies.	Estimate for the Year 1866.	Estimate for the Year 1865.	Estimate for the Year 1864.
	Fixed Establish-ment.	Provi-sional & Tempora-ry.					
1	Establishments	157,600 50	4,928 80	2,197 50	13,571 25	\$ 178,358 05	cts 195,537 45
2	Pensions, Retired Allowances, and Gratuities				970 00	—	—
3	Revenue Services, exclusive of Establishments				2,000 00	2,425 00	2,061 25
4	Administration of Justice, Do.				7,150 00	6,935 50	86,815 00
5	Ecclesiastical Do.				—	—	—
6	Charitable Allowances				8,000 00	7,517 50	5,650 25
7	Education, exclusive of Establishments				5,000 00	4,850 00	2,425 00
8	Hospitals Do.				—	—	—
9	Police and Gaols Do.				11,950 00	16,393 00	17,702 50
10	Rent				1,650 00	2,910 00	1,474 40
11	Transport				13,750 00	23,401 25	31,255 48
12	Conveyance of Mails				31,281 00	—	19,885 00
13	Works and Buildings				26,000 00	108,882 50	60,722 00
14	Roads, Streets, and Bridges				125,500 00	381,129 02	299,462 26
15	Miscellaneous Services				8,225 00	14,428 75	18,954 11
16	Interest				66,630 00	68,385 00	38,800 00
17	Drawbacks and Refunds of Duties, &c.				600 00	2,667 50	1,242 81
18	Immigration				—	14,550 00	—
19	Redemption of Bonds				20,612 50	31,040 00	20,612 50
20	Sinking Fund				42,437 50	42,437 50	31,525 00
21	Temporary Loans				170,000 00	131,968 50	77,600 00
22	Government Vessels				3,000 00	51,918 42	51,918 42
	Total				\$ 723,114 05	1107,376 89	948,797 80

No. 1.—ESTABLISHMENTS DETAILED.

CIVIL.

HIS EXCELLENCY THE GOVERNOR.

SALARIES.	Fixed Establishment
The Governor	\$19,400 00
Private Secretary	1,697 50
Messenger	582 00
	<u>\$21,679 50</u>
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.	
Stationery, &c.	250 00
Total His Excellency the Governor	<u>\$21,929 50</u>

LEGISLATIVE COUNCIL.

SALARIES.	Fixed Establishment.
Clerk	\$970 00
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.	
Stationery, Fuel, Light, &c.	1,250 00
Total Legislative Council	<u>\$2,220 00</u>

COLONIAL SECRETARY.

SALARIES.	Fixed Establishment,
Colonial Secretary	\$3,880 00
Chief Clerk	1,940 00
Clerk	1,697 50
Clerk	1,455 00
Messenger	485 00
	<u>9,457 50</u>
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.	
Stationery, &c.	\$970 00
Advertising in Newspapers	750 00
	<u>1,720 00</u>

PRINTING BRANCH.

SALARIES.	Fixed Establishment.
Superintendent	\$1,455 00
Two Printers	1,940 00
Assistant Printer	873 00
	<u>4,268 00</u>
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.	
Stationery, &c.	750 00
Total Colonial Secretary	<u>\$16,195 50</u>

ESTABLISHMENTS DETAILED.

TREASURER.		CIVIL.	
SALARIES.		Fixed Establishment.	
Treasurer	_____	\$3,637 50	
Chief Clerk	_____	1,940 00	
Clerk	_____	1,455 00	
Clerk	_____	1,212 50	
Messenger	_____	582 00	
			\$8,827 00
ALLOWANCES.— <i>Nil.</i>			
CONTINGENCIES.			
Stationery	_____	\$250 00	
Fuel and Light	_____	200 00	
Temporary Assistance	_____	150 00	
			600 00
Total Treasurer			\$9,427 00
ASSAY AND REFINERY OFFICE.			
SALARIES.		Fixed Establishment.	
Superintendent of Assay	_____	\$2,425 00	
Chief Melter	_____	1,940 00	
			\$4,365 00
		Provisional and Temporary.	
Assistance in Office	_____	\$300 00	— 300 00
ALLOWANCES.— <i>Nil.</i>			
CONTINGENCIES.			
Stationery, Fuel, Chemicals, &c.	_____		125 00
Total Assay and Refinery Office			\$4,790 00
AUDITOR GENERAL.			
SALARIES.		Fixed Establishment.	
Auditor General	_____	\$2,425 00	
Clerk	_____	1,455 00	
			\$3,880 00
ALLOWANCES.— <i>Nil.</i>			
CONTINGENCIES.			
Stationery, &c.	_____		200 00
Total Auditor General			\$4,080 00
CHIEF COMMISSIONER OF LANDS AND WORKS AND SURVEYOR GENERAL.			
SALARIES.		Fixed Establishment.	
Chief Commissioner of Lands and Works, &c.	_____	\$3,880 00	
Assistant Surveyor General	_____	2,425 00	
1st Clerk	_____	1,455 00	
2nd Clerk	_____	1,212 50	
Draughtsman	_____	1,212 50	
Messenger	_____	485 00	
			\$10,670 00
ALLOWANCES.— <i>Nil.</i>			
CONTINGENCIES.			
Stationery, Maps, Observations, &c.	_____		1,470 00
SALARIES.		Fixed Establishment.	
INSPECTOR OF STEAM VESSELS, attached to Lands and Works Department	_____		1,455 00
Total			\$13,595 00

ESTABLISHMENTS DETAILED.

CIVIL.

CUSTOMS.

SALARIES.	Fixed Establishment.
Collector of Customs	\$3,152 50
Chief Clerk	1,940 00
Clerk	1,455 00
Messenger	465 60
Customs Officer, North-west Coast	1,455 00
	<u>\$8,468 10</u>
OUT-DOOR DEPARTMENT.	
Revenue Officer	1,697 50
Landing Waiter	1,455 00
Two Boatmen, \$698 40 each	1,396 80
	<u>4,549 30</u>
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery \$125, Fuel and Light \$100	225 00
Temporary Assistance	606 25
	<u>\$13,848 65</u>
Total Customs	

REGISTRAR GENERAL.

SALARIES	Fixed Establishment.
Registrar General	\$2,425 00
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery, Office Cleaner, &c.	\$250 00
Temporary Assistance	250 00
	<u>500 00</u>
Total Registrar General	\$2,925 00

HARBOUR MASTER.

SALARIES.	Fixed Establishment.
Harbour Master	\$1,940 00
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery, &c.	100 00
LIGHT SHIP.	
	Provisional and Temporary.
Master	\$1,200 00
Assistant Master	720 00
Three Men at \$480	1,440 00
	<u>3,360 00</u>
ALLOWANCES. } <i>see Government Vessels.</i>	
CONTINGENCIES. }	
Total Harbour Master	\$5,400 00

 ESTABLISHMENTS DETAILED.

CIVIL.

POST OFFICE.

SALARIES.	Fixed Establishment.
Postmaster General	\$1,940 00
Deputy Postmaster, Williams Creek	970 00
Clerk and Messenger	750 00
	<hr/> \$3,660 00
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery \$500, Fuel and Light \$150	650 00
	<hr/>
Total Post Office	\$4,310 00

 TOTAL OF CIVIL ESTABLISHMENTS \$98,720 65

His Excellency the Governor	\$21,929 50
Legislative Council	2,220 00
Colonial Secretary	16,195 50
Treasurer	9,427 00
Assay and Refinery Office	4,790 00
Auditor General	4,080 00
Chief Commissioner of Lands and Works and Surveyor General	13,595 00
Customs	13,848 65
Registrar General	2,925 00
Harbour Master	5,400 00
Post Office	4,310 00
	<hr/> \$98,720 65

JUDICIAL.

SUPREME COURT.

SALARIES.	Fixed Establishment.
Judge of Supreme Court	\$5,820 00
Puisne Judge	
Registrar	1,940 00
	<hr/> \$7,760 00
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery	150 00
Fuel and Light	250 00
	<hr/> 400 00
Total Supreme Court	<hr/> \$8,160 00

ATTORNEY GENERAL.

SALARIES.	Fixed Establishment.
Attorney General	\$2,425 00
Clerk	1,212 50
	<hr/> \$3,637 50
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery, &c.	200 00
Fuel and Light	50 00
	<hr/> 250 00
Total Attorney General	<hr/> \$3,887 50

ESTABLISHMENTS DETAILED.

HIGH SHERIFF.

	SALARIES.	Provisional and Temporary.
High Sheriff	_____	1,000 00
	ALLOWANCES.—Fees.	
	CONTINGENCIES.— <i>Nil.</i>	
Total High Sheriff	_____	\$1,000 00

TOTAL JUDICIAL ESTABLISHMENTS	_____	\$13,047 50
Supreme Court	_____	\$8,160 00
Attorney General	_____	3,887 50
High Sheriff	_____	1,000 00
		<u>\$13,047 50</u>

POLICE, INCLUDING PRISONS AND GAOLS.

	SALARIES.	Fixed Establishment.
NEW WESTMINSTER.		
POLICE.		
Chief Inspector of Police, and Police Magistrate for New Westminster, including Douglas	_____	\$2,910 00
High Constable	_____	1,164 00
Two Constables at \$698 40	_____	1,396 80
		<u>\$5,470 80</u>
GAOL.		
Warden	_____	1,455 00
Two Gaolers, \$698 40 each	_____	1,396 80
Medical Attendant	_____	485 00
		<u>3,336 80</u>
DOUGLAS.		
Toll Collector and Constable	_____	1,080 00
Constable	_____	931 20
		<u>2,011 20</u>
	ALLOWANCES.— <i>Nil.</i>	
	CONTINGENCIES.	
Stationery, &c.	_____	300 00
Total Police and Gaols	_____	<u>\$11,118 80</u>

GOLD, ASSISTANT GOLD COMMISSIONERS & STIPENDIARY MAGISTRATES.

COLUMBIA AND KOOTENAY DISTRICT.

	SALARIES.	Fixed Establishment.
Gold Commissioner	_____	\$3,880 00
Two Assistant Gold Commissioners at \$2,425 each	_____	4,850 00
Clerk to Gold Commissioner	_____	2,182 50
Clerk and Constable, Kootenay	_____	1,697 50
Do. Do., Fort Shepherd	_____	1,455 00
Constable at Osoyoos	_____	1,164 00
Do. Kootenay	_____	1,455 00
Two Constables, Columbia, \$1,164 each	_____	2,328 00
		<u>\$19,012 00</u>

 ESTABLISHMENTS DETAILED.

 GOLD, ASSISTANT GOLD COMMISSIONERS & STIPENDIARY
MAGISTRATES.

ALLOWANCES.	
Temporary allowance to Gold Commissioner	485 00
Do. Assistant Gold Commissioners, \$250 each	500 00
CONTINGENCIES.	
Stationery, &c. \$500, Fuel and Light \$1,500	2,000 00
Total Columbia and Kootenay District	\$21,997 00

CARIBOO EAST.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner, &c.		\$3,395 00
Clerk		1,940 00
Chief Constable		1,940 00
Two Constables at \$1,455 each		2,910 00
		<hr/> \$10,185 00
ALLOWANCES.		
Temporary allowance to Assistant Gold Commissioner		485 00
CONTINGENCIES.		
Stationery \$125, Fuel and Light \$500		625 00
Total Cariboo East District		<hr/> \$11,295 00

CARIBOO WEST OR QUESNEL.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner, &c.		\$2,425 00
Chief Constable		1,455 00
Constable		1,212 50
		<hr/> \$5,092 50
ALLOWANCES.		
Temporary allowance to Assistant Gold Commissioner		485 00
CONTINGENCIES.		
Stationery \$125, Fuel and Light \$375		500 00
Total Cariboo West or Quesnel District		<hr/> \$6,077 50

HOPE, YALE, AND LYTTON DISTRICT.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner, &c.		\$2,425 00
Chief Constable, Yale		1,212 50
Constable, Do.		931 20
Toll Collector Do.		931 20
Constable, Hope		931 20
Chief Constable, Lytton		1,164 00
Toll Collector and Postmaster, Lytton		1,455 00
		<hr/> \$9,050 10
		Provisional and Temporary.
Advance in Salary to Toll Collector, Yale		268 80
ALLOWANCES.—Nil.		
CONTINGENCIES.		
Stationery \$200, Fuel and Light \$350		550 00
Total Hope, Yale, and Lytton District		<hr/> \$9,868 90

ESTABLISHMENTS DETAILED.

LILLOOET.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner, &c.		\$2,425 00
Chief Constable		1,164 00
Constable		931 20
Constable, Postmaster, and Check Taker, Clinton		970 00
ALLOWANCES.		\$5,490 20
Temporary allowance to Assistant Gold Commissioner		242 50
CONTINGENCIES.		
Stationery \$125, Fuel and Light \$375		500 00
Total Lillooet District		\$6,232 70

No. 1.—RECAPITULATION OF THE FOREGOING ESTABLISHMENTS.

	Salaries.		Allow- ances.	Office Contingen- cies.	TOTAL.
	Fixed Establish- ment.	Provision- al and Temporary			
CIVIL ESTABLISHMENTS:—					
Governor.....	\$21,679 50	—	—	\$ 250 00	\$21,929 50
Legislative Council.....	970 00	—	—	1,250 00	2,220 00
Colonial Secretary.....	13,725 50	—	—	2,470 00	16,195 50
Treasurer.....	8,827 00	—	—	600 00	9,427 00
Assay and Refinery Office.....	4,365 00	300 00	—	125 00	4,790 00
Auditor General.....	3,880 00	—	—	200 00	4,080 00
Chief Commr. of Lands & Works, &c.	12,125 00	—	—	1,470 00	13,595 00
Customs.....	13,017 40	—	—	831 25	13,848 65
Registrar General.....	2,425 00	—	—	500 00	2,925 00
Harbour Master.....	1,940 00	3,360 00	—	100 00	5,400 00
Post Office.....	3,660 00	—	—	650 00	4,310 00
JUDICIAL ESTABLISHMENTS:—					
Supreme Court.....	7,760 00	—	—	400 00	8,160 00
Attorney General.....	3,637 50	—	—	250 00	3,887 50
High Sheriff.....	—	1,000 00	—	—	1,000 00
POLICE ESTABLISHMENT.....	10,818 80	—	—	300 00	11,118 80
GOLD, ASSISTANT GOLD COMMISSION- ERS, AND STIPENDIARY MAGIS- TRATES:—					
Columbia and Kootenay District.....	19,012 00	—	985 00	2,000 00	21,997 00
Cariboo East Do.	10,185 00	—	485 00	625 00	11,295 00
Cariboo West or Quesnel Do.	5,092 50	—	485 00	500 00	6,077 50
Hope, Yale, and Lytton Do.	9,050 10	268 80	—	550 00	9,868 90
Lillooet Do.	5,490 20	—	242 50	500 00	6,232 70
TOTAL ESTABLISHMENTS.....\$	157,660 50	4,928 80	2,197 50	13,571 25	178,358 05

No. 2.—PENSIONS, RETIRED ALLOWANCES, AND GRATUITIES.

Pension to Mrs. D. McLean	\$485 00
Do. Mrs. J. D. B. Ogilvy	485 00
Total Pensions, Retired Allowances, and Gratuities	\$970 00

No. 3.—REVENUE SERVICES (exclusive of ESTABLISHMENTS).

For arrest and prosecution of Smugglers	\$1,500 00
Travelling Expenses of Officers on duty Collecting Revenue	500 00
Total Revenue Services (exclusive of Establishments)	\$2,000 00

No. 4.—ADMINISTRATION OF JUSTICE (exclusive of ESTABLISHMENTS).

Summoning Jurors and Witnesses	\$250 00
Prosecution and Interpreters' Fees, &c.	1,750 00
Expenses of Judge and Registrar on Circuit	5,000 00
Expenses attending Inquests, &c., New Westminster	150 00
Total Administration of Justice (exclusive of Establishments)	\$7,150 00

No. 5.—*Nil.*

No. 6.—CHARITABLE ALLOWANCES.

In aid of Hospitals	\$7,500 00
In aid of the destitute Poor and Sick	500 00
Total Charitable Allowances	\$8,000 00

No. 7.—EDUCATION (exclusive of ESTABLISHMENTS).

For aid in the establishment and maintenance of Schools throughout the Colony ..	\$5,000 00
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No. 8.—HOSPITALS (exclusive of ESTABLISHMENTS).

Nil.

No. 9.—POLICE AND GAOLS (exclusive of ESTABLISHMENTS).

NEW WESTMINSTER, INCLUDING DOUGLAS.

Keep of Prisoners and other Police expenditure at this Station	\$6,700 00
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COLUMBIA AND KOOTENAY.

Keep of Prisoners and other Police expenditure at this Station	1,500 00
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CARIBOO EAST.

Keep of Prisoners and other Police expenditure at this Station	1,000 00
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CARIBOO WEST OR QUESNEL.

Keep of Prisoners and other Police expenditure at this Station	1,000 00
--	----------

HOPE, YALE, AND LYTTON.

Keep of Prisoners and other Police expenditure at this Station	1,000 00
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LILLOOET.

Keep of Prisoners and other Police expenditure at this Station	750 00
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Total Police and Gaols (exclusive of Establishments) \$11,950 00

No. 10—RENT.

Rent of Court House and Gaol, Quesnel	\$500 00
Do. Do., Lillooet	650 00
Do. Do., Fort Shepherd	250 00
Rent of Post Office, Williams Creek	250 00
Total Rent	\$1,650 00

No. 11—TRANSPORT.

His Excellency the Governor.	
Expenses of tours, &c., in the Interior	\$5,000 00
Colonial Secretary.	
Expenses of tours in the Interior	750 00
Treasurer.	
Freight upon remittances of treasure	250 00
Auditor General.	
Travelling Expenses Inspecting Accounts \$200, Freight upon Accounts to England \$50	250 00
Chief Commissioner of Lands and Works and Surveyor General.	
Keep of Government Horses, &c. \$1,000, Travelling Expenses Inspecting Steamers \$500	1,500 00
Gold and Assistant Gold Commissioners, &c.	
Actual travelling expenses of Officers on duty	4,000 00
Keep of horses at the different Stations throughout the Colony	2,000 00
Total Transport	\$13,750 00

No. 12—CONVEYANCE OF MAILS.

To and from San Francisco (<i>left for Supplementary Estimates</i>).	
To and from Vancouver Island	\$1,164 00
To and from Cariboo, Columbia, &c.	30,117 00
Total Conveyance of Mails	\$31,281 00

No. 13—WORKS AND BUILDINGS.

NEW WORKS.	
Survey of Pre-empted and Purchased Land, Town Sites, &c.	4,000 00
Explorations in the Interior	10,000 00
Placing Iron Buoys at Sand Heads	4,000 00
Building Court House and Gaol at Columbia	2,000 00
REPAIRS.	
Repairs to Government House and Improvements to Grounds	2,500 00
Repairs to Governments Buildings at the Seat of Government and Out-Stations	3,500 00
Total Works and Buildings	\$26,000 00

No. 14—ROADS, STREETS, AND BRIDGES.

ROADS.

New Road from Cache Creek to Savana's Ferry	18,500 00
Trails from Shuswap Lake to Columbia River, and in the Columbia and Big Bend Districts	17,000 00
Completion of Trail from Osoyoos to Wild Horse Creek	13,000 00
Sleigh Road, New Westminster to Yale	5,000 00
Trail, Bridge River District	6,000 00
Trails in the Cariboo District	1,500 00
Completing Alexandria and Quesnel Road (a re-vote)	12,400 00
Do. Cottonwood to Richfield (a re-vote)	12,600 00
Fifth instalment on Richfield and Camerontown Road (a re-vote)	1,350 00
Road to Lumber Mills, Burrard Inlet	2,000 00

REPAIRS.

Road, Douglas to Clinton	8,000 00
Do., Yale to Clinton	12,000 00
Do., Clinton to Camerontown	8,650 00
Do., Hope to Osoyoos	2,000 00
Roads in New Westminster District	1,500 00

STREETS.

Repairs and Improvements to Streets in New Westminster (a re-vote)	4,000 00
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Total Roads, Streets, and Bridges \$125,500 00

No. 15—MISCELLANEOUS SERVICES.

Furniture, &c., for Government House	500 00
Aid to Public Libraries	1,500 00
Aid to Rifle Volunteers	750 00
Aid to Fire Company	500 00
Presents to Indian Chiefs	500 00
Entertaining Indian Tribes	1,500 00
Loss on Sale of Gold Dust received as Revenue	250 00
Commission on purchase of Drafts for Remittances to England	2,000 00
Commission to Crown Agents	500 00
Insurance, Government House	225 00

Total Miscellaneous Services \$8,225 00

No. 16—INTEREST.

Interest on Loan of 1862	14,550 00
Do. 1863	14,550 00
Do. 1864	29,100 00
Interest on Temporary Loans	7,500 00
Interest on Roads' Bonds	930 00

Total Interest \$66,630 00

No. 17—DRAWBACKS AND REFUND OF DUTIES, &c.

Of Customs Duties, &c.	500 00
Of other Taxes, &c.	100 00

Total Drawbacks and Refund of Duties, &c. \$600 00

 No. 18—*Nil.*

 No. 19—REDEMPTION OF BONDS.

Cook's Ferry and Clinton Road Bonds, due September, 1866 _____ 20,612 50

 No. 20—SINKING FUND.

In Redemption of £50,000 Loan, 1862 _____	21,825 00
Do. Do. 1863 _____	9,700 00
Do. £100,000 1864 _____	10,912 50
Total Sinking Fund _____	\$42,437 50

 No. 21—TEMPORARY LOANS.

Bank of British Columbia, &c. _____ 170,000 00

 No. 22—GOVERNMENT VESSELS.

LIGHT SHIP.	
Provisions _____	1,000 00
Oil and Marine Stores _____	1,000 00
Fuel, Cotton Waste, Wicks _____	1,000 00
Total Government Vessels _____	\$3,000 00

SUMMARY OF THE FOREGOING ESTIMATES, SHOWING THE TOTAL CHARGE FOR EACH DEPARTMENT,
so far as the same can be apportioned.

	Establishments.	Pensions, retired Allowances, and Gratuities.	Revenue Services.	Administration of Justice.	Ecclesiastical.	Charitable Allowances.	Education.	Hospitals.	Police and Gaols.	Rent.	Transport.	Conveyance of Mails.	Works and Buildings.	Roads, Streets, and Bridges.	Miscellaneous Services.	Interest.	Drawbacks & Re-fund of Duties, &c.	Immigration.	Redemption of Bonds.	Sinking Fund.	Temporary Loans.	Government Vessels.	TOTAL.	TO REMARKS.		
CIVIL ESTABLISHMENTS.																										
Governor	21929 50	—	—	—	—	—	—	—	—	—	5000	—	—	—	2725	—	—	—	—	—	—	—	—	29,654 50		
Legislative Council	2220 00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2,220 00		
Colonial Secretary	16195 50	—	—	—	—	—	—	—	—	—	750	—	—	—	—	—	—	—	—	—	—	—	—	16,945 50		
Treasurer.	9427 00	—	—	—	—	—	—	—	—	—	250	—	—	—	3250	66630	—	—	20612 50	42437 50	170000	—	—	312,607 00		
Assay and Refinery Office	4790 00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4,790 00		
Auditor General	4080 00	—	—	—	—	—	—	—	—	—	250	—	—	—	—	—	—	—	—	—	—	—	—	4,330 00		
Chief Commissioner Lands & Works	13595 00	—	—	—	—	—	—	—	—	—	1500	—	—	—	—	—	—	—	—	—	—	—	—	15,095 00		
Customs	13848 65	—	1500	—	—	—	—	—	—	—	—	—	—	—	—	—	500	—	—	—	—	—	—	15,848 65		
Registrar General	2925 00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2,925 00		
Harbour Master	5400 00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	3000	—	8,400 00		
Post Office.	4310 00	—	—	—	—	—	—	—	—	250	—	31281	—	—	—	—	—	—	—	—	—	—	—	35,841 00		
Judicial Establishments	13047 50	—	—	7000	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	20,047 50		
Ecclesiastical Establishments	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Education Establishments.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Police Establishment	11118 80	—	—	150	—	—	—	—	6700	—	—	—	—	—	—	—	—	—	—	—	—	—	—	17,968 80		
Gold, Assistant Gold Commissioners, and Stipendiary Magistrates]	55471 10	—	500	—	—	—	—	—	5250	1400	6000	—	—	—	—	—	100	—	—	—	—	—	—	68,721 10		
Pensions, &c.	—	970	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	970 00		
Charitable Allowances	—	—	—	—	—	8000	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	8,000 00		
Education	—	—	—	—	—	—	5000	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5,000 00		
Hospitals	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Works and Buildings	—	—	—	—	—	—	—	—	—	—	—	—	26000	—	—	—	—	—	—	—	—	—	—	26,000 00		
Roads, Streets, and Bridges.	—	—	—	—	—	—	—	—	—	—	—	—	—	125500	—	—	—	—	—	—	—	—	—	125,500 00		
Miscellaneous	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2250	—	—	—	—	—	—	—	—	2,250 00		
Total	\$ 178358 05	970	2000	7150	—	8000	5000	—	11950	1650	13750	31281	26000	125500	8225	66630	600	—	20612 50	42437 50	170000	3000	—	\$ 723,114 05		

APPENDIX C

**Progress of Bills
Brought Into the Legislative Council of British Columbia**

1864-1866

PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA
FIRST SESSION, 1864

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEAL AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Confirmatory	Hon. Attorney General January 21	January 27	January 28	February 1	February 1	February 2	
Mining Drains	Hon. Mr. Orr January 22	January 27	January 27	January 27, 28, 30	January 30	February 1	
Gold Fields	Hon. Mr. O'Reilly January 28	February 17	February 22	February 22, 23	February 24	February 26	
Supply Bill	Committee of Supply (Attorney General) February 5	February 5	February 5	February 5	February 5	February 18	
Thompson River Bridge Toll	Hon. Mr. Ball February 19, 23	February 19	February 19	February 19, 22	February 22	February 26	
Trades Licences Amend- ment	Hon. Mr. Ball February 23	February 24	February 29	February 29	February 29	March 10	
Loan Act	Attorney General February 29	February 29	March 2	March 2	March 4	March 10	
Sale of Liquor to Indians	Hon. Mr. Nind March 1	March 3	March 7	March 7			Lapsed.
Telegraph Establishment	Hon. Mr. Holbrook March 1	March 1	March 3	March 3, 4, 8	March 8	March 10	Lapsed.
Telegraph Regulation	Do.	Do.	March 4	March 7	March 8		
Steam Traction Engine	Hon. Mr. Orr March 3	March 3	March 7		May 3	March 10	
Bank Note	Hon. Attorney General April 5	April 5	May 2	May 3	April 29	May 4	
Inland Navigation	Do.	Do.	April 22	April 27, 28, 29	April 27	Do.	Reserved for the signification of Her Majesty's Pleasure.
Mining Joint Stock Com- panies	Do.	April 22	April 26	April 26	April 27	Do.	Do.
Postal	Hon. Attorney General April 25	April 27	April 27	April 29	April 29 (3rd reading)	Do.	
Legal Interest	Do.	April 26	April 27	April 28	May 2 (passed)	Do.	
Land Registry	Do.	Do.	Do.	Do.	April 28	Do.	
Military and Naval Set- tlers' Relief	Hon. Attorney General April 27	April 27	May 3	May 3	May 3	Do.	
Patents	Hon. Attorney General April 29	April 29	May 2	Do.	Do.	Do.	
Customs Amendment	Do.	May 3	May 3	Do.	Do.	Do.	

PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA
SECOND SESSION, 1864-65

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Supplementary Supply	Governor December 20	December 20	December 20	December 20	December 21	December 21	
Native Evidence	Hon. Attorney General January 17	January 17	January 19	January 19, 25	January 25 (3rd reading), January 26 (passed)	February 8	Recommitted.
International Telegraph Construction	Do.	Do.	January 20	January 23	January 25 (3rd reading), January 26 (passed)	February 22	
Steam Traction Engine Extension	Do.	Do.	January 18	January 18	January 19 (passed)	February 7	
Game Protection	Hon. Mr. Holbrook January 18	January 31	February 17	February 21	February 22	April 1	
Decimal Currency	Hon. Mr. Walkem January 20	January 20	January 25	January 25, 26, February 1, 2	February 6	March 4	
First Telegraph Amendment		January 20	January 23	January 26	January 30	February 22	
Thompson River Bridge	Hon. Mr. Cornwall January 23	January 26	January 30	January 31	February 10	Do.	Amended by Governor.
Gold Export Duty	Hon. Attorney General January 24	January 24	January 30	January 31, February 1, 2	February 6 (3rd reading), February 13 (passed)	March 25	Recommitted.
Waggon Tire	Hon. Attorney General January 24	January 24	January 25				Lapsed.
Pounds Bill	Hon. Mr. Cornwall January 25	January 30	February 9	February 16, 21, 22	March 13	March 28	Withdrawn.
Gold Mining Amendment	Hon. Mr. Walkem February 2	February 2	February 6	February 8, 9, 10, 15, 17, 20, 21, 22, 23, March 6	March 13		Recommitted and amended by Governor.
Bankruptcy	Do.	February 6	February 20	February 23, April 3, 4	April 6	April 10	Referred to Select Committee.
Trustees' Relief	Hon. Attorney General February 6	February 6	February 8	February 9	February 13	February 18	
Customs Amendment	Hon. Attorney General February 10	February 13	February 14	February 14, 15	February 15	February 15	Recommitted.
Harbour Dues	Hon. Attorney General March 13	March 13	March 13	March 13	March 14	March 18	
Indian Liquor	Hon. Mr. Elliott March 13	Do.	March 17	March 22	March 24	March 30	
Supply Bill	Governor, March 13	March 13	March 13	March 13	March 14	March 17	Thrown out 2nd reading.
Births, Deaths, and Marriages	Hon. Attorney General March 13	Do.					

PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA
THIRD SESSION, 1866

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Trustees' Relief.....	Hon. Attorney General January 23	January 23	January 25	January 25	January 29	January 31	
Western Union Telegraph Confirmatory.....	Do.	Do.	Do.	Do.	Do.	Do.	
Compulsory Mining Licence.....	Hon. Attorney General February 1	February 1	January 23 February 8	January 23	January 23	January 25	Lapsed.
Trades Licences.....	Do.	Do.	Do.	February 8, 9, 12, 15, 22	February 23	March 23	Recommitted; amended by O.A.G.*
Joint Stock Companies.....	Hon. Mr. Walkem February 8	February 8	February 14	February 15, 16	February 22	March 8	Recommitted; amended by O.A.G.
Ferry Regulation.....	Hon. Attorney General February 19	February 19	February 23	February 23	February 26	March 23	
Intestate Estate Sales.....	Do.	Do.	February 22	February 22	February 23	March 23	
Supply Bill.....	Officer Administering the Government February 22	February 22	February 23	February 23	February 26	March 5	Amended by O.A.G.
Williams Creek Bed Rock Flume.....	Hon. Mr. Walkem February 23	February 23	March 6	March 7, 16	March 16	April 4	Recommitted; amended by O.A.G.
Pilotage.....	Hon. Attorney General March 2	March 2	March 6	March 6	March 7	April 5	Amended by O.A.G.
Sinking Fund.....	Hon. Attorney General March 2	March 2	March 6	March 7	March 12	March 15	Recommitted.
Homestead.....	Hon. Mr. Smith March 12	March 12					Thrown out.
Small Debts Act Amend- ment Bill.....	Hon. Mr. Elliott March 12	March 19					Lapsed.
Gold Export Repeal.....	Hon. Attorney General March 21	March 21	March 23	March 23	March 26	April 4	
Supplementary Supply.....	Officer Administering the Government March 23	March 23	March 23	March 23	March 24	Do.	
Cattle Import Duty.....	Hon. Attorney General March 23	March 23	March 26	March 27			Thrown out in Committee.
Currency Adjustment.....	Hon. Mr. Walkem March 23	April 4	April 4	April 4	April 5	April 5	
County Court Amendment.....	Hon. Mr. Elliott March 12	March 19	March 24	March 26	March 27	Do.	Amended by O.A.G.
Pre-Emption Amendment.....	Hon. Attorney General March 26	March 26	March 27	March 27	March 27	April 4	
County Court Jurisdiction.....	Officer Administering the Government April 4	April 4	April 5	April 5	April 5	April 5	

* Officer Administering the Government.

Harbour Regulation.....	Do.	March 17	March 17	March 17	March 22	March 29	
Municipal.....	Do.	March 14	March 14	March 14	March 17	March 22	
Excise.....	Do.	March 20	March 20	March 20	March 20	Do.	Referred to Select Committee.
Supreme Court Fees.....	Hon. Mr. Elliott March 17	March 17	March 14, 17	March 30,	April 4	April 11	
Land.....	Do.	April 3	April 3,	April 7, 8,	April 10	Do.	Recommitted.
Marriage.....	Do.	March 27	April 10	recommitted	April 4	Do.	Recommitted.
Imprisonment for Debt.....	Hon. Mr. Walkem March 20	March 27	March 28, 29,	April 10	April 4	Do.	Referred to Select Committee.
Vice-Admiralty Practice.....	Do.	March 24	30, April 3,	March 27,	April 7	Do.	Disallowed.
Tolls Exemption.....	Hon. Attorney General March 27	March 22	April 6	March 22	March 24	April 3	
Indian Graves.....	Do.	March 29	March 29	March 29	March 30		
Port of Entry.....	Hon. Attorney General April 6	Do.	Do.	Do.	Do.	Do.	
Governor's Salary.....	Do.	April 7	April 7	April 7	April 8	April 11	
Limitation of Suits and Actions.....	Hon. Mr. Walkem April 7	Do.	Do.	Do.	Do.	Do.	
Telegraph Extension.....	Hon. Attorney General April 10	April 10	April 11	April 11	April 11	Do.	

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